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GENERAL ACTS

PASSED BY THE

LEGISLATURE OF WISCONSIN,

IN THE YEAR

EIGHTEEN HUNDRED AND FIFTY-THREE,

TOGETHER WITH

MEMORIALS AND RESOLUTIONS.

PUBLISHED BY AUTHORITY.

MADISON:
PRINTED BY BERIAH BROWN.
1853.

NC

GENERAL STATUTES.

An Act to allow appeals to be taken from the decision of the Register of the State Land Office. Chap. 1

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Appeal may be taken to circuit court

SECTION 1. In all cases of conflicting pre-emption claims to lands granted to this state to aid in the improvement of the Fox and Wisconsin rivers, which may be decided by the register of the state land office after the fifteenth day of January, A. D. 1853, it shall be lawful for any party aggrieved by such decision, to appeal to the circuit court of the county where the land lies, within sixty days after such decision shall be made; and until the expiration of the said sixty days the register shall issue no certificate to the successful claimant; and in case of an appeal within that time, no certificate shall be issued until the decision of said court shall be made and certified to said register.

Notice to be served on register.

SEC. 2. The party bringing such appeal shall, within the said sixty days, cause a notice thereof to be served on said register, and execute and file with him a bond to the opposite party, with sufficient sureties, to be approved by said register, conditioned for the faithful prosecution of such appeal, and the payment of all costs that shall be adjudged against the appellant by the court.

Bond to be filed with clerk of court.

SEC. 3. Within ten days after the bringing of any appeal, as aforesaid, the said register shall cause the notice of appeal and bond, together with the testimony and other papers in the cause, to be filed in the office of the clerk of the circuit court; and the said court shall proceed to try and determine the matter, without further or other testimony than that submitted to the register, unless the said court shall otherwise order: *Provided*, That it shall be competent for the parties to stipulate to try any such

cause by a jury, in the same manner as other jury causes are tried in said court.

n to be to court. SEC. 4. If a return shall not be made by the register, according to law, either party may file with the clerk of the circuit court an affidavit stating that such appeal has been duly made, and that the register has failed to make his return to such court, according to law; whereupon the court may compel such return by order or attachment.

can com- amend SEC. 5. Upon satisfactory evidence that the return of the register is substantially erroneous or defective, or does not contain all the evidence submitted to him, the court may in like manner compel him to amend the same.

ter may certi.- SEC. 6. The court in which any such appeal shall be tried, shall make an order that the register issue a certificate for the land in question to the successful party, and award costs against the losing party, and enter judgment therefor against said party and his sureties

be remov- supreme SEC. 7. The cases provided for in this act may be removed to the supreme court by a peal or writ of error, as in other cases; and the said court shall, on the hearing of any such case, by order, affirm or reverse the order of the court below.

ficate to ued. SEC. 8. Upon the service of a copy of the order mentioned in either of the foregoing sections, certified by the clerk of the proper court, the register shall issue a certificate to the successful party.

SEC. 9. This act shall take effect and be in force from and after its publication.

Approved, February 1, 1853.

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ip. 2. **An Act to authorize the Secretary of State to audit certain accounts, and providing for the payment thereof.**

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The secretary of state is hereby authorized to audit the accounts of the several newspaper publishers in this state, for publishing the law authorizing the business of banking, as authorized by a joint resolution adopted by the legislature at its last annual session; and there is hereby appropriated, out of any money in the treasury not otherwise appropriated, a sufficient sum for their payment: *Provided*, The amount so allowed shall

not exceed the sum of ten dollars to each newspaper publishing the same.

Approved, February 7, 1853.

An Act to extend the [time] for the collecting of Taxes in the Town of Dane, County of Dane.

Chap. 3

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The time for collecting the taxes in the town of Dane, in the county of Dane, is hereby extended thirty days beyond the time now required by law; and the treasurer of said town shall have the same right to levy on property and sell the same, within such time so extended, as is now allowed by law for such purposes.

SEC. 2. This act shall take effect from and after its passage.

Approved, February 7, 1853.

An Act to fix the time for holding the February Term of the Circuit Court of Milwaukee County.

Chap. 4

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The circuit court for the county of Milwaukee, to be held on the second Monday of February (the fourteenth), in the year one thousand eight hundred and fifty-three, shall be and is hereby deferred and postponed to the first Monday in May of said year, the time for holding the regular spring term of said court.

SEC. 2. This act shall take effect from and after its passage.

Approved, February 8, 1853.

An Act to incorporate the Wisconsin State Agricultural Society.

Chap. 5

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The "Wisconsin State Agricultural Society" is hereby declared a body politic and corporate, and by that name it shall be known in all courts and places whatsoever.

Created a corporate

hold and vey real ate.

SEC. 2. The objects of the society being to promote and improve the condition of agriculture, horticulture, and the mechanical, manufacturing and household arts, it shall be allowed, for those purposes only, to take, hold, and convey real and personal estate; the former not exceeding in value ten thousand dollars.

neral pow-

SEC. 3. The said corporation shall possess all the powers and privileges conferred, and be subject to all the liabilities imposed, upon corporations by the revised statutes of this state, so far as the same may be applicable.

ecutive mitteemay meetings.

SEC. 4. For the purpose of organizing said society under this charter, and for the transaction of such other business as may come before it, the executive committee of the society may call a meeting of the same, at such time and place as they may deem proper; first giving due notice thereof.

SEC. 5. The said society may continue to use and occupy the southeast corner room in the basement of the capitol, until otherwise ordered by the legislature.

SEC. 6. This act shall take effect and be in force from and after its passage, and may be amended, altered, or repealed by any future legislature.

Approved, February 9, 1853.

An Act to repeal an Act entitled an Act in reference to Appeals from Justices' Courts; approved April 16, 1852.

iap. 6.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. An act entitled an act in reference to appeals from justice courts, approved April 16, 1852, is hereby repealed: *Provided*, That no proceeding by appeal commenced under the act hereby repealed, shall be affected by this repeal.

Approved, February 10, 1853.

An Act to organize the County of Waupacca for judicial purposes.

iap. 7.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

en organi-

SECTION 1. From and after the first day of April next, the county of Waupacca shall be fully organized for judicial purposes, and shall enjoy all the rights and privi-

leges appertaining to other counties so organized in this state.

SEC. 2. Said county of Waupacca shall be and hereby is constituted a part of the third judicial circuit, and two terms of the circuit court shall be holden annually in said county, at the county seat thereof, to wit: on the third Monday of March, and the third Monday in August, annually. There shall be four terms of the county court annually, to wit: on the first Mondays in February, May, August, and November. Made part of third judicial circuit. Terms of courts

SEC. 3. All writs shall issue and be made returnable as required by law in other counties; and all laws now in force applicable to the summoning and empannelling of jurors, shall be applicable to and be in force in the said county of Waupacca. How writs returnable.

SEC. 4. The qualified electors of said county shall, on the first Tuesday of April, 1853, elect a sheriff, clerk of the court, and register of deeds for said county, who shall hold their offices until the first day of January, 1855; and a county judge, who shall hold his office until the first day of January, 1854, and until his successor is elected and qualified. At such election the votes given for such officers shall be returned and canvassed in the same manner as votes are returned and canvassed at a general elecction in other organized counties of this state. Election of officers. How returns to be made.

SEC. 5. After such first election, all county officers provided for by the law of this state, shall be elected in said county at the same time and in the same manner as is provided by law in other organized counties.

Approved, February 11, 1853.

An Act to divide the County of La Crosse, and create the County of Jackson.

Chap. 8.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. All that portion of country now embraced in La Crosse county, north of the township line, between township (18) eighteen and (19) nineteen, extending from Adams county to the state line in the Mississippi river, is hereby set off into a separate county, to be called and known as the county of Jackson. Boundaries.

SEC. 2. That the county of Jackson, aforesaid, shall be organized after the first day of March next (1853), for the purposes of county government, and shall enjoy all the When organized.

rights, privileges, immunities and powers of the other counties in this state.

When elections to be held.

SEC. 3. There shall be an election held in the several towns and precincts, such as now are or may be hereafter established by law, on the first Tuesday of March next, for the election of all such town officers as the said county by virtue of its organization and the privileges of this act shall be entitled to; who (said town officers) shall severally hold their town offices until the first Tuesday in April, 1854, and until their successors are duly qualified; and the county officers shall be elected at the next general election; and the officers so elected shall hold their respective offices for two years, and until their successors are duly qualified.

How to be conducted.

SEC. 4. The said elections shall be conducted in all respects in the manner now provided for holding the same under the law regulating general elections; and the votes cast at the same shall be returned and canvassed as therein provided; and the judges of said election shall issue certificates of election to any person duly elected under the provisions of this act.

Seat of justice.

SEC. 5. That the seat of justice of said county shall be and is hereby located in the town of Albion, in said county, at the village of Black River Falls.

Organized for judicial purposes.

SEC. 6. From and after the first day of September next, the said county of Jackson shall be organized for judicial purposes. The circuit court shall be holden in the county of Jackson, on the fourth (4th) Monday of March and on the second (2d) Monday of November of each year.

Town meetings, when held.

SEC. 7. The annual town meetings in the said county of Jackson, shall be held on the first Tuesday in March of each year, and the town officers so elected, shall enter upon the discharge of their duties at the time and in the same manner that other town officers do in other towns in this state.

Organization of county.

SEC. 8. The county supervisors so elected on said day of election, shall meet as soon thereafter as may be, at the seat of justice, and with the clerk of said county; all of whom being first duly qualified according to law, and under oath by some person duly qualified to administer the same, shall then and there proceed to organize said county; and may then and there perform all such duties and services as may be required of them by law, in order that the said county may be organized as contemplated

by this act, and to approve the qualifications of other county officers.

SEC. 9. The qualified electors of said county of Jackson shall, on the first Monday of September, one thousand eight hundred and fifty-three, and once in every four years thereafter, elect a suitable person to the office of judge of said county, who shall be called the county judge, and hold his office for four years from the first day of January thereafter, and until his successor is elected and qualified to serve in his place. Election for judge.

SEC. 10. The state and county taxes, assessed for the year 1852, on the property situated within the limits of the county of Jackson, which have not been paid, and which shall not be paid before the passage of this act, shall be paid into the treasury of La Crosse county, the same as if the county had not been divided. Where taxes to be paid.

SEC. 11. The county courts for the said county of Jackson, shall be held on the third Monday of January, second Monday of April, third Monday of July, and third Monday of October of each year. When courts to be held.

Approved, February 11, 1853.

An Act to incorporate the County of Shawanaw.

Chap. 9.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. That all that section of country lying and being within the following described boundaries, to wit: Beginning at the southeast corner of town twenty-five (25,) of range eighteen (18) east; thence running north to the northeast corner of town twenty-seven (27); thence west to the range line between ranges fourteen (14) and fifteen (15); thence north on said range line until it strikes the north line of town twenty-nine (29); thence west to the range line between range eleven [11] and twelve (12); thence south to the north line of Waupacca county; thence east to the range line between ranges fourteen and fifteen; thence south to the town line between towns twenty-four (24) and twenty-five (25); thence east to the place of beginning, shall be and is hereby set apart and shall constitute a county, with all the rights and privileges of other counties and shall be known by the name of Shawanaw county, and shall be for the time Boundaries.

being attached to Outagamie county for judicial purposes.

County seat. SEC. 2. The county seat of said county shall be located and established at or near the southeast corner of section six, upon the fraction of section seven, east of Wolf river, in town twenty-six, range sixteen east.

Where election to be held. SEC. 3. The first election for all officers to which said county will be entitled, shall be held at the house of J. C. Lewis, at the Shawanaw Mills, and occupied by C. Wescott, on the Tuesday succeeding the first Monday of November next.

Officers to be elected. SEC. 4. Said county shall constitute one town, and for all town purposes shall be known as the town of Shawanaw, and under such name shall be entitled to all the rights and privileges heretofore granted by law to other organized towns; and the first election for town officers shall be held at the aforesaid Shawanaw Mills house, on the first Tuesday of April next, and shall hold their offices for the term of twelve months thereafter, and until their successors are duly elected and qualified; there shall also be elected in said town, at the election herein named, a town clerk, treasurer and assessor, who shall hold their offices for the term of twelve months, and until their successors are duly elected and qualified; said town supervisors herein provided for, shall hold their meetings at the house hereinbefore mentioned, until otherwise provided for at the county seat.

To whom expenses to be paid. SEC. 5. That the county of Shawanaw shall pay unto the treasurer of Outagamie county, all costs, fees, charges and expenses that shall be paid by the county of Outagamie, that may accrue in consequence of any prosecution, conviction, imprisonment or proceeding whatever against any person charged with any crime or misdemeanor within said county of Shawanaw; and the supervisors of the county of Outagamie may sue and collect the same from said county of Shawanaw, in any court of competent jurisdiction.

Approved, February 16, 1853.

Chap. 10. An Act to fix the Terms of the Circuit Court in the Third Judicial Circuit.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The terms of the circuit court in the third

udicial circuit shall be holden at the times and places ollowing, to wit:

In the county of Marathon, on the last Monday of larch, and the last Monday of August in each year.

In the county of Portage, on the first Monday in April, nd the first Monday in September in each year.

Times and places of holding courts.

In the county of Sauk, on the third Monday in April, nd the third Monday in September in each year.

In the county of Columbia, on the second Monday in April, and the fourth Monday in September in each year.

In the county of Marquette, on the first Monday in May, and the second Monday in October in each year.

In the county of Waushara, on the third Monday in May, and the third Monday in October in each year.

In the county of Dodge, on the fourth Monday in May, nd the fourth Monday in October in each year.

In the county of Washington, on the first Monday in June, and the second Monday in November in each year.

SEC. 2. All recognizances, process and proceedings heretofore issued from said courts, or either of them, and all proceedings pending therein, or returnable thereto, whether by recognizance or otherwise, shall be held and taken as returnable at the times fixed herein for holding the said courts respectively.

Writs, how returnable.

SEC. 3. All acts and parts of acts contravening the provisions of this act are hereby repealed, and this act shall take effect from and after its passage.

SEC. 4. It shall be the duty of the secretary of state to cause this act to be published at as early a day as possible, in all the newspapers printed in said circuit.

Approved, February 16, 1853.

An Act in relation to the settlement of the estates of deceased persons.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Chap. 11.

SECTION 1. At any time after the expiration of six years from the date of the original order granting to any executor or administrator, a time for disposing of the estate and paying the debts and legacies of the deceased person, any executor or administrator may apply to the probate court, by petition, under oath, setting forth the assets remaining in his possession belonging to the estate of the deceased person, and the debts or legacies remain-

ing unpaid; for what cause the settlement of the esta has been de'ayed; and what further time will probab be necessary before a final settlement can be had, ar thereupon the court shall order notice of the same and the time and place of hearing thereof to be published some newspaper, to be des'gnated by the court, for thr successive weeks; and on the hearing of the petition, th court, on being satisfied of the truth and sufficiency the matter set f.rth in the said petition, may grant suc further time to the executor or administrator for the pa ment of debts and legacies, as the nature of the case ma in the opinion of the court, require.

Approved, February 23, 1853.

An Act to amend chapter ten of the Revised Statutes.

Chap. 12. *The people of the State of Wisconsin, represented Senate and Assembly, do enact as follows:*

Shall present claim to board of supervisors.

SECTION 1. No suit shall hereafter be maintained b any person against a county upon any claim or dema other than a county order, until such person shall fir have presented his claim to the board of supervisors such county for allowance.

Determination of supervisors to be final.

SEC. 2. The determination of the board of superviso of any county disallowing in whole or in part any clai of any person, shall be final and conclusive, and a pe petual bar to any suit in any court, founded on such clai unless an appeal shall be taken from the decision a determination of such board of supervisors, or unless su board of supervisors shall consent and agree to the i stitution and maintenance of such suit by such claiman

Proviso.

against such county: *Provided, however*, That when t board of supervisors shall refuse or neglect to act up any claim duly presented to them, this act shall not so construed as to prevent the institution and maintenan of suit by such claimant.

Approved, February 23, 1853.

An Act to provide for the removal of the county seat of Manitowoc Cou

Chap. 13. *The people of the State of Wisconsin, represented Senate and Assembly, do enact as follows:*

SECTION 1. The county seat of Manitowoc county

ereby removed from the village of Manitowoc Rapids, Removal of county seat.
n said county, to the village of Manitowoc, in said
ount'y, and permanently located at said village of Mani-
owoc.

SEC. 2. It shall be lawful for the qualified electors of Electors to vote on removal.
he county of Manitowoc to vote on the removal of the
unty seat of said county, from the village of Manitowoc
Rapids, in said county, to the village of Manitowoc, in
aid county, at the annual town meeting of the several
owns, in said county, to be held on the first Tuesday of
April, A. D., 1853.

SEC. 3. The votes cast on the question of removal shall Form of ballot.
e by ballot, and shall have written or printed on them,
the words, "for removal to Manitowoc," or, the words,
"against removal to Manitowoc," and should a majority
of all the votes cast on the subject of such removal, be in
favor of the removal of such county seat, to said village of
Manitowoc, then this act shall be in full force; but should
a majority of all the votes cast on the subject of such re-
moval, be against the removal of such county seat, to said
village of Manitowoc, then this act shall be null and void.

SEC. 4. Said votes shall be canvassed and returned in How returned.
the same manner, as votes for county officers are can-
vassed and returned.

SEC. 5. In case the majority of said votes shall be for County buildings.
the removal of such county seat, to said village of Manito-
woc, then the supervisors of said county are hereby author-
ized and required to provide for the erection and comple-
tion of suitable county buildings, within one year from such
annual town meeting, upon such lot or tract of land as they
may select in said village of Manitowoc.

Approved, February 23, 1853.

An Act to cede the jurisdiction of the State of Wisconsin over certain lands to the United States.

Chap. 14.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. That the jurisdiction of the State of Wisconsin over five acres or less of land, which may be selected by an officer of the United States government, for light house purposes, to be located on the so called "North Point," in the county of Milwaukee, State of Wisconsin, be and the same is hereby ceded to the United

States, for the purpose of maintaining a light house c
the same: *Provided*, That this act shall in no mann
take away or interfere with the jurisdiction of this Sta
for the purpose of serving or executing any legal process

SEC. 2. This act shall take effect from and after i
passage.

Approved February 23, 1853.

Chap. 15.

An Act to authorize the appointment of a Court Commissioner at Berlin, i
the county of Marquette.

*The people of the State of Wisconsin, represented i
Senate and Assembly, do enact as follows:*

Judge may appoint additional court commissioner.

SECTION 1. In addition to the court commissioner her
tofore appointed in the county of Marquette, pursuant t
section seventy-five, of chapter ten, of the revised statute
the circuit judge of the third judicial circuit, may appoi
another court commissioner, to reside in the town of Berli
in said county, who shall hold his office for two years fro
the time of his appointment, unless sooner removed by sai
judge.

Judge may fill vacancy.

SEC. 2. Such appointment shall be made in writing b
the said judge, and filed with the clerk of the circuit cou
for said county of Marquette, and any vacancy which ma
occur in said office, by expiration of the time of office
or otherwise, may be filled by said judge, by appoin
ment in the manner aforesaid.

Powers, &c., of commissioner.

SEC. 3. Such commissioner shall have the same powe
and may receive the same fees for service, as by law c
this state, are conferred upon, and given to the court com
missioner, appointed pursuant to section seventy-five, c
chapter ten, of the revised statutes.

SEC. 4. This act shall take effect, and be in force fro
and after its passage.

Approved, February 23, 1853.

Chap. 16.

An Act changing the Terms of Court in Iowa, Grant and Lafayette counties
in the Fifth Judicial Circuit.

*The people of the State of Wisconsin, represented i
Senate and Assembly, do enact as follows:*

SECTION 1. That hereafter the terms of the circui

court in the counties of Iowa, Grant and Lafayette, in the fifth judicial circuit of this State, shall be held as follows:

Terms of court

In the county of Iowa, on the third Monday in March, and the third Monday in September of each year.

In the county of Grant, on the first Monday in April, and the first Monday in October of each year.

In the county of Lafayette, on the third Monday in April, and the third Monday in October of each year.

How writs returnable.

SEC. 2. All writs, summons, process, indictments, recognizances and other proceedings, made returnable to the terms of court in said counties, now fixed by law, shall be returnable to the terms as hereinbefore fixed; and all adjournments, appearances, continuances, motions and notices of any proceedings in the circuit courts of said counties, made or taken to any term of a date subsequent to the time when this act shall take effect, shall be held to be made and taken for the time hereinbefore fixed for holding the terms of said courts.

Repealing clause.

SEC. 3. That so much of chapter eighty-three of the revised statutes, as fixes the terms of courts in said counties of Iowa, Grant and Lafayette, in the said fifth judicial circuit, be and the same is hereby repealed.

Act to be published.

SEC. 4. This act shall immediately after its passage, be published in a public newspaper printed at Madison, to be selected by the secretary of state, and upon the first publication, this act shall take effect and be in full force.

Approved, February 28, 1853.

An Act to incorporate the State Historical Society of Wisconsin.

Chap. 17.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Body corporate

SECTION 1. That Leonard J. Farwell, Mason C. Darling, Wm. R. Smith, Charles Lord, I. A. Lapham, Wm. H. Watson, Cyrus Woodman, James D. Doty, Morgan L. Martin, Lyman C. Draper, Samuel Marshall, John W. Hunt, Albert C. Ingham and O. M. Conover, and their present and future associates, and their successors, be and they are hereby constituted and created a body politic and corporate, by the name of "The State Historical Society of Wisconsin," and by that name shall have perpetual succession with all the faculties and liabilities of a corporation; may sue and be sued, implead and be impleaded,

defend and be defended in all courts and places; and for the purposes of its institution, may do all such acts as are performed by natural persons.

Objects of society.

SEC. 2. The object of the society shall be to collect, embody, arrange and preserve in authentic form, a library of books, pamphlets, maps, charts, manuscripts, papers, paintings, statuary, and other materials illustrative of the history of the state; to rescue from oblivion the memory of its early pioneers, and to obtain and preserve narratives of their exploits, perils, and hardy adventures; to exhibit faithfully the antiquities, and the past and present condition, and resources of Wisconsin; and may take proper steps to promote the study of history by lectures, and to diffuse and publish information relating to the description and history of the state.

Powers

SEC. 3. Said society may have and use, and at discretion change, a common seal; may ordain and enforce a constitution, by-laws, rules and regulations, and elect such officers as the constitution or by-laws may prescribe:

Proviso.

Provided, Such constitution, by-laws, rules and regulations be not inconsistent with this act, or the law or constitution of this State, or of the United States.

May hold property.

SEC. 4. Said society may receive, hold, purchase and enjoy books, papers and other articles forming its library and collections to any extent, and may acquire and hold, and at pleasure alienate, any other personal and real estate, and may acquire the same by devise, or bequest, or otherwise, not exceeding ten thousand dollars in value, but all its funds shall ever be faithfully appropriated to promote the objects of this formation.

May re-organize.

SEC. 5. The incorporators, or a majority of them, with their associates shall meet upon the notice of the present recording secretary of the society, within thirty days after the passage of this act, and upon accepting the same may, if they or a majority of them deem proper, re-organize their present association in accordance with the provisions of this charter.

Approved March 4, 1853.

An Act to amend chapter sixteen, section sixty-six, of the Revised Statutes.

Chap. 18.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section sixty-six, of chapter sixteen, of the

revised statutes, is hereby amended so as to read as follows:

Whenever application shall be made by any free-holder whose *land* is excluded from the highway, to the supervisors of the town, to lay out a private road, the supervisors may lay out such road; and the damages thereof to any owner of the lands through which such road may be laid, shall in like manner be ascertained and determined, and in case of appeal, the like proceedings shall be had thereon, as is provided in this chapter, for the laying out and altering of public highways; except that the applicant for such private road shall, in all cases, pay the damages and costs, arising from the laying out of such road. Supervisors lay out road.

SEC. 2. This act shall take effect and be in force, from and after its passage.

Approved, March 4, 1853.

An Act prescribing certain duties of Clerks of Circuit Courts, and for other purposes. Chap. 19.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. It shall be the duty of the clerk of the circuit court to keep an accurate list, in a book to be by him provided for that purpose, of all certificates by him issued to witnesses and jurors; stating in such record the number of each certificate, the date and amount thereof, and to whom issued; and to furnish at each annual session of the county board of supervisors, a certified transcript of such record during the year preceding such session; which transcript shall be entered in full upon the records of said board.

Approved, March 4, 1853.

An Act to provide for the payment of the Surveying of School Lands in the several Counties of this State. Chap. 20.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. There shall be allowed to the surveyors who were employed by the appraisers of the school lands in the counties of Sauk, Adams, Waushara, Waupacca, Compensation of surveyors.

Portage, Marathon, Crawford, Bad Ax, La Crosse, Chippewa, Outagamie, Columbia, and Marquette, appointed pursuant to an act entitled "an act to provide for the subdivision and appraisal of school lands in the counties therein named, and granting pre-emption rights thereon," approved March 15, 1852, the sum of three dollars per day for the time such surveyors were necessarily employed in surveying and subdividing the school lands in said counties: *Provided*, The said sum shall not be allowed to more than one surveyor for each county, in case more than one shall have been employed by such appraisers at the same time.

Proviso.

Amount to be allowed.

SEC. 2. There shall be allowed to such persons, not exceeding three in each county, as were actually employed by such appraisers to assist in the survey of the said school lands, the sum of one dollar and fifty cents per day for the time they were actually engaged and employed in such survey.

Secretary of state to audit accounts.

SEC. 3. The accounts for such services shall be audited by the secretary of state, when verified by the affidavit of such appraisers; and shall be paid out of the school fund, upon the certificate of the secretary of state, stating the amount so due for such service.

Compensation of appraisers.

SEC. 4. There shall be allowed and paid by the state treasurer, out of the school fund, to the several counties, all necessary expenses (remaining unpaid to said counties) incurred and paid by the several counties of this state for compensation of appraisers of school lands embraced in sections numbered sixteen, and for surveyors, chainmen, or packers employed by such appraisers, under the laws of this state. The certificate of the clerk of the board of county supervisors, under his hand and seal, and countersigned by the chairman of said board, shall be evidence of the amount paid by each county respectively, and shall be filed in the office of the secretary of state.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved, March 4, 1853.

Chap. 21.

AN ACT for the division of the county of Washington, and the erection of the county of Ozaukee.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. All that portion of the present county of

Washington lying within the following boundaries, to wit: commencing at the southwest corner of township nine, north of range twenty-one, east of the fourth principal meridian; and running thence north, on the range line between ranges twenty and twenty-one, to the northwest corner of township twelve, range twenty-one east; thence east, on the township line between townships twelve and thirteen north, to the eastern boundary line of this state, in lake Winnebago; thence southerly, on said boundary line, until it intersects a line running due east between townships eight and nine north; thence west, on said line, to the place of beginning, is hereby set off and erected into a separate county, under the name and title of Ozaukee. Boundaries.

SEC. 2. That said county of Ozaukee is hereby erected, established, and organized with all the rights, powers, and privileges by law granted to other counties of this state, and subject to all general laws established for county government. Powers.

SEC. 3. That on the first Tuesday of April next, the electors resident in said county of Ozaukee shall meet in their respective towns, at the usual place of holding elections, and there and then proceed to elect all and every of the county officers provided by law for county government; which said officers shall hold their offices, when duly qualified, until the expiration of the regular term of similar offices in other counties. Election of officers.

SEC. 4. That on the first Tuesday of April next, there shall be elected by the qualified electors of said county of Ozaukee, a county judge, in accordance with the provisions of chapter eighty-six of the revised statutes of Wisconsin; who, when duly qualified, shall hold his office until the expiration of the regular term of similar officers in other counties. Election of judge.

SEC. 5. It shall be the duty of the secretary of state, as soon after the publication of this act as possible, to give notice to the sheriff of Washington county, specifying what officers are to be elected at the April town elections for the county of Ozaukee; and upon the receipt of such notice, the sheriff shall cause to be posted in three or more public places in each organized town in said county of Ozaukee, a notice specifying the officers to be elected for said county; for which service he shall be paid by the county of Ozaukee. The election shall be conducted in all respects at the polls as is provided by Sheriff to give notice of election.

law for general elections; and the returns shall be made to the sheriff of Washington county, at Port Washington, within six days after such election, in the same manner that returns are directed to be made to the county board of canvassers; on the Tuesday next following the election, the said sheriff shall take to his assistance two justices of the peace, residents in the county of Ozaukee, who shall be a board of canvassers, and shall proceed to canvass the votes cast at such election for county officers, in the same manner as is provided for by law for other boards of canvassers. Said board of canvassers shall immediately publish, in some newspaper in said county, the result of such election, and give a certificate of election to the person elected; and shall, as soon as the county board of supervisors shall be organized and a clerk elected, file with the said clerk, to be recorded as by law directed, such statement of the result of such election.

Board of canvassers.

County seat.

SEC. 6. The present village of Port Washington is hereby declared to be the county seat of said county of Ozaukee. The terms of the circuit court for said county, shall be held on the second Monday in June, and the third Monday in November, in each year.

Courts, where to be held.

Indebtedness, how paid.

SEC. 7. The liabilities or indebtedness of the present county of Washington shall be paid, satisfied, and discharged rateably by said county of Washington and county of Ozaukee, according to the last assessment of Washington county; except so far as the county of Washington shall have a fund, which shall be used in discharge of such indebtedness; and in case there is a county fund on hand, or real or personal property now owned by said county of Washington, the same shall be divided between the said counties, at the same rates as for the discharge of indebtedness. The board of supervisors of either county shall have power to audit claims for which both counties are liable.

Supervisors to audit claims.

Writs, &c., how to be prosecuted.

SEC. 8. All processes, appeals, recognizances and other proceedings commenced, either in the circuit court for the county of Washington, or in the county court of said county, prior to the first Monday of May next, shall be prosecuted to find judgment therein, the same manner and with like effect as they might have been had this act not have been passed.

Third senate district.

SEC. 9. The county of Ozaukee shall constitute the third senate district.

SEC. 10. It shall be the duty of the county supervisors

elected at the next April town election within the said county of Ozaukee, to meet at the court room in the village of Port Washington, on the first Monday of May next, at 10 o'clock, A. M., organize a board of county supervisors; and shall there and then proceed to select, within the limits of the said village of Port Washington, suitable lands for the erection of a court house and other county buildings; and also shall procure suitable rooms for holding courts, and for county officers. County buildings.

SEC. 11. The supervisors of the county of Ozaukee are hereby authorized and empowered to procure a copy of the records of Washington county, relating to the titles of all lands situate within the limits of the said county of Ozaukee, as they now or may appear in the register's, circuit clerk, or clerk of the board of supervisors' offices, in said county of Washington. The copies so entered in the respective offices of Ozaukee county, shall be of the like form and effect as if originally entered of record in said county. Records.

SEC. 12. The place known and designated as the village of West Bend, in town eleven, range nineteen, in the county of Washington, shall and it is hereby declared to be the county seat of said county of Washington; and the board of supervisors of said county shall, as soon as practicable, provide suitable buildings for county purposes in said village of West Bend. And said board of supervisors are required to meet at said village of West Bend, on the third Tuesday of March, A. D. 1853, for the purpose of providing said buildings, and selecting and procuring grounds and lots for the location of county buildings. Washington county seat.

SEC. 13. All acts and parts of acts contravening this act are hereby repealed.

SEC. 14. It shall be the duty of the secretary of state to cause this act to be published forthwith, and it shall go into effect from and after its passage.

Approved, March 7, 1853.

An Act to authorize certain officers to administer oaths; and to provide for certain proceedings before the Court for the trial of Impeachments. **Chap. 23.**

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The president and chief clerk of the senate

President and chief clerk to administer oath.

are respectively authorized to administer to any member or officer of the senate, any oath or affirmation which he is required to take as a senator, or officer of the senate, or as a member of the court for the trial of impeachments; and to administer any oath or affirmation to any other person in any proceeding before the senate, or any committee thereof, or before the court for the trial of impeachments.

May issue process, &c.

SEC. 2. The court for the trial of impeachments is authorized to issue, and enforce obedience to any summons, subpœna, or other process necessary to the exercise of its powers and authority; to provide in what form the same shall be issued, by whom and in what manner it shall be signed and attested, by whom it shall be executed, and in what form return thereof shall be made, and make such other provisions as may be required for the aforesaid purposes not inconsistent with the constitution or laws of the United States, or of this State.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved, March 10, 1853.

Chap. 23.

An Act to change the time of holding the March Term of the Circuit Court in Waukesha county, for the year eighteen hundred fifty-three.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

When court to be held.

SECTION 1. The term of the circuit court in Waukesha county, now fixed by law to be held on the third Monday in March, is hereby postponed for the year eighteen hundred fifty-three, until the third Monday in June, eighteen hundred fifty-three.

Jurors to serve

SEC. 2. The persons drawn to serve as grand and petit jurors at the said March term, shall be summoned to appear before said circuit court on the third Monday of June, eighteen hundred fifty-three.

Writs, &c., how returnable.

SEC. 3. All writs, summons, indictments, recognizances and other proceedings made returnable by law on the said third Monday of March, eighteen hundred fifty-three, shall be returnable on the third Monday of June, eighteen hundred fifty-three; and all adjournments, appearances, continuances, motions and notices of any proceedings in said court, made or taken to said March term shall be held to be made and taken to the said third Monday of June.

SEC. 4. This act shall take effect and be in force from and after its passage; and the secretary of state is hereby directed to cause this act to be published immediately.

Approved, March 10, 1853.

An Act to provide for the election of State Prison Commissioner, and for other purposes. **Chap. 24.**

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. There shall be elected at the present session of the legislature, in joint ballot of the two houses, one commissioner, who shall be known and styled State Prison Commissioner; said commissioner shall hold his office until the first day of January next, and until a successor shall have been elected and qualified. **Commissioner, how appointed.**

SEC. 2. After the first election under this act, there shall be elected at the general election in November, eighteen hundred and fifty-three, and biennially thereafter as state officers are elected, one state prison commissioner, who shall hold his office for two years from the first day of January thereafter, and until his successor shall be elected and qualified; said commissioner shall be warden and treasurer of the state prison. **How elected.**

SEC. 3. In case a vacancy shall occur, a commissioner shall be appointed by the Governor, who shall hold his office for the residue of the unexpired term. **Vacancy.**

SEC. 4. All acts and parts of acts conflicting with the provisions of this act are hereby repealed.

Approved, March 10, 1853.

An Act to amend an act entitled "an act to amend sections eighty-two and three of chapter eighty-four, of the Revised Statutes," approved April 17, 1852. **Chap. 25.**

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. So much of sections one and two of an act entitled "an act to amend sections eighty-two and three of chapter eighty-four of the revised statutes," approved April 17, 1852, as authorizes the court to appoint any person but the sheriff of the county to sell mortgaged premises be and the same is hereby repealed: *Provided*, That decrees and proceedings therein rendered and

commenced previous to the passage of the repealing act, shall in no wise be affected thereby.

Approved, March 10, 1853.

An Act to authorize the County Board of Supervisors of the several Counties of this State to establish the town system for the support of the poor in said counties.

Chap. 26.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The county board of supervisors of any county, wherein the distinction between county poor and town poor has been abolished, or hereafter may be abolished, may at their annual meeting, or special meeting called for that purpose, by an order in writing to be signed by them, or a majority of them, and filed with and recorded by their clerk, adopt the town system of supporting the poor in such county; and thereafter the poor of such county shall be supported in the same manner as if such distinction between county and town poor had never been abolished.

Approved, March 10, 1853.

An Act to provide for the travelling expenses of the State Superintendent.

Chap. 27.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Expenses of superintendent

SECTION 1. There is hereby appropriated annually to the state superintendent, a sum not exceeding six hundred dollars, to defray his travelling expenses in making official visits to the counties of this state, pursuant to chapter nine of the revised statutes. He may draw the same from time to time in such sums as he may specify; but he shall not draw to exceed one hundred and fifty dollars in advance over and above the amount of his expenditures already made for the purposes herein mentioned.

Shall report to legislature.

SEC. 2. The superintendent shall annually submit to the legislature with his report a statement of his travels in making official visits during the past year, and of his expenditures for that purpose.

SEC. 3. This act shall take effect from and after its passage and publication.

Approved, March 14, 1853.

An Act for the preservation of Game.

Chap. 28.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. No person or persons shall kill, destroy, or take, or pursue with intent to kill, destroy, or take by any device, contrivance, or means whatsoever, any woodcock, between the first day of March and the first Tuesday of July; or any grouse, prairie hen or chicken, between the first day of January and the twelfth day of August, or any partridge between the first day of February and the first Tuesday in September; or any quail between the first day of February, and the first Tuesday in October in each and every year. When game not to be taken

SEC. 2. Every person or persons who shall expose for sale any woodcock, grouse, prairie hen or chicken, partridge, or quail, or shall have either or any of said birds in his, her, or their possession, or custody, which shall have been taken during the time when the killing or taking of the same is prohibited by this act, shall be deemed guilty of killing the same within the meaning of the first section of this act, and be liable to the penalty or penalties hereinafter provided. Subject to penalty.

SEC. 3. Every person offending against the provisions of this act, or either of them, shall be subject to a penalty of five dollars and costs of suit, for each and every grouse, prairie hen or chicken, and two dollars for each and every woodcock or quail, whereof he, she, or they shall be convicted of having taken, killed or destroyed, or pursued with intent to take, kill, or destroy, or have had in possession within the meaning of this act, which penalty or penalties may be sued for and recovered in the name of the State of Wisconsin, before any justice of the peace of the county in which the offence shall have been committed, which suit shall be commenced and carried on in the same manner as prosecutions for other misdemeanors are. The provisions of this bill shall not be construed to include any Indians located within the limits of this State. Penalty.

SEC. 4. An act to prevent the killing of game therein mentioned, in certain seasons of the year, approved March 15th, 1851, and all other acts contravening the provisions of this act are hereby repealed. Repealing clause.

Approved, March 14, 1853.

An Act to restore the County of Adams to its former boundaries.

Chap. 29.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. That all that district of country embraced within the following boundaries shall form and constitute the county of Adams, to wit: Townships number fourteen, fifteen, sixteen, seventeen, eighteen, nineteen and twenty north, in ranges number two, three, four, five, six and seven, east of the fourth principal meridian.

Boundaries.

SEC. 2. All acts and parts of acts contravening the provisions of this act are hereby repealed.

SEC. 3. This act shall take effect from and after its passage.

Approved, March 14, 1853.

An Act to organize the County of Adams for county and judicial purposes, and for the location of the county seat thereof.

Chap. 30.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. That the county of Adams shall be organized, from and after the first Tuesday in April next, for judicial and county purposes, and shall enjoy all the rights, privileges, immunities and powers of the other counties of this State.

When organized.

SEC. 2. Said county of Adams shall be, and hereby is (after the first Tuesday in April next,) organized into five towns, to be bounded as follows, viz: That portion of said county lying east of the Wisconsin river, in township fourteen (14) and fifteen (15), in ranges five [5], six (6) and seven (7) east, is hereby organized into one town, to be called the town of Jackson, and the first election in said town shall be held at the house of Thomas Ritchie.

Boundaries.

Town of Grand Marsh.

And all that part of said county lying in townships sixteen (16), seventeen (17), eighteen (18), nineteen (19), and twenty north of ranges six (6) and seven (7) east, is hereby organized into one town, to be called the town of Grand Marsh, and the first election in said town shall be held at the house of —— Peck.

Quincey.

And all that part of said county lying in townships fifteen (15), sixteen (16), and seventeen (17), in ranges four (4) and five (5) east, on either side of the Wisconsin river, is hereby organized into one town, to be called the town of Quincey, and the first election in said town shall be held at the house of Henry W. Kingsbury.

And all that part of said county lying in townships eighteen, nineteen (19) and twenty (20) north, in ranges two (2), three (3), four (4) and five (5) east, is hereby organized into one town, to be called the town of Necedah, and the first election in said town shall be held at the house of Thomas Weston & Co. Necedah.

And all that part of said county lying in townships fifteen (15), sixteen (16) and seventeen (17), in ranges two (2) and three (3) east, is hereby organized into one town, to be called the town of Lemonwier, and the first election in said town shall be held at the house of —— Findlay. Lemonwier.

SEC. 3. There shall be an election held in the several towns in said county on the first Tuesday in April next, for the election of all such town and county officers as the said county, by virtue of its organization and the privileges of this act, shall be entitled to; which said county officers shall severally hold their offices until the first day of January, 1855, and until their successors are duly elected and qualified; and the said town officers shall severally hold their offices until the next annual town meeting, and until their successors are elected and qualified. Elections.

SEC. 4. The said election shall be conducted in all respects in the manner now provided by law for holding general elections, and the votes cast at such election shall be canvassed and returned as therein provided: and the judges of said election shall issue certificates of election to any and all persons duly elected under the provisions of this act. How votes to be canvassed and returned.

SEC. 5. The chairman of the town board of supervisors elected at said election shall constitute the county board of supervisors, and shall meet on the first Monday in May next, at the seat of justice of said county, together with the clerk of the board of supervisors, and after being duly sworn according to law, shall proceed to transact such business as may be proper for the action of the board, or as may be required of them by law. County board.

SEC. 6. The seat of justice of said county is hereby temporarily located on the south half of the southwest quarter of section No. seven (7), in township No. sixteen (16) north, of range five (5) east, of the fourth principal meridian, for the term of five years from and after the passage of this act. County seat.

SEC. 7. Said county of Adams is hereby constituted a part of the third judicial circuit, and two terms of the circuit court shall be holden annually in said county, at Constitute 3d judicial circuit.

the seat of justice thereof, on the second Monday in April, and second Monday in September; and four terms of the county court shall annually be holden in said county on the first Monday in January, April, July and October.

How process returnable.

SEC. 8. All process shall issue and be made returnable in said county as required by law in other counties, and all laws now in force applicable to the summoning and empanelling of jurors, shall be applicable to and in force in the said county of Adams.

Election of judge.

SEC. 9. On the first Tuesday in April next, there shall be elected by the qualified voters of said county, a county judge, who shall hold his office for the term of four years, and until his successor shall be duly elected and qualified; and the votes cast for county judge at such election shall be canvassed and returns made in the same manner as votes cast at general election for county officers are canvassed and returns made, and the judge so elected shall have all the rights, privileges and jurisdiction that county judges have by the laws of this State.

Approved, March 14, 1853.

Chap. 31.

An Act to divide Saint Croix county, and create the counties of Pierce and Polk.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Boundaries of Pierce county.

SECTION 1. All that portion of country now embraced in St. Croix county, lying and being south of township line between townships twenty-seven and twenty-eight, shall be and is hereby set off into a separate county, to be called and known as the county of Pierce.

Boundaries of Polk county.

SEC. 2. All that portion of country now embraced in Saint Croix county, lying north of township line between townships thirty-one and thirty-two shall be and is hereby set off into a separate county, to be called and known as the county of Polk.

Election of town officers.

SEC. 3. There shall be an election held in the several towns and precincts such as now are, or may be hereafter established by law, on the first Tuesday in April, A. D. 1853, for the election of all such town officers as the said counties by virtue of its organization and privileges of this act shall be entitled to, who (said town officers) shall severally hold their town offices one year, and until their successors are duly qualified.

SEC. 4. There shall be an election of all the county officers, except county judges, in each of the aforesaid counties of Saint Croix, Pierce and Polk, at the next general election, holden in November A. D. 1853, and the officers so elected shall hold their respective offices for one year from the first day of January, 1854, and until their successors are duly qualified; and said elections shall be conducted in all respects in the manner now provided for holding the same under the law regulating general elections, and the votes cast at the same shall be returned and canvassed as therein provided; and the judges of said elections shall issue certificates of election to any person duly elected under the provisions of this act. Election of county officers

SEC. 5. That the seat of justice of the said county of Saint Croix shall be and remain at its present location in the village of Hudson; and the seat of justice in the said county of Pierce, shall be located at the village of Prescott; and the seat of justice for the county of Polk shall be located in the town of Saint Croix Falls, at the village now known and called the village of Saint Croix Falls: *Provided*, That said counties of Pierce and Polk, may, at any election hereafter duly called, alter said locations by a majority of all the legal voters of said counties at such election for the same. Seats of justice

Proviso.

SEC. 6. From and after the twenty-fifth day of November next, the said counties of Pierce and Polk shall be organized for judicial purposes; the circuit court shall be holden in the county of Pierce on the second Monday of May, and second Monday in November of each year; and in the county of Polk, on the third Monday in May, and third Monday in November in each year; and said counties shall be attached to the sixth judicial circuit. Organized for judicial purposes.

When courts held.

Attached to sixth circuit.

SEC. 7. The state and county taxes assessed for the year 1852, on the property situated within the limits of the aforesaid counties of Pierce and Polk which have not been paid, and which shall not be paid before the passage of this act, shall be paid into the treasury of St. Croix county, the same as if the county had not been divided as aforesaid. Taxes, where to be paid.

SEC. 8. The county courts for the said counties shall be held as follows: In the county of Pierce, on the first Monday in December, the first Monday in March, the first Monday in June and the first Monday in September of each year; and in the county of Polk on the third Monday in December, the third Monday in March, the County courts, when and where held.

third Monday in June, and the third Monday in September of each year.

Election of county judge.

SEC. 9. There shall be elected in the said counties of Pierce and Polk, on the first Tuesday in April, A. D. 1853, a county judge for each of said counties, who shall hold their office two years, and until their successors shall be duly qualified, and shall enter upon the duties of their office immediately after notice given of their election:

Proviso.

Provided, Nothing in this section shall be construed to prevent the county judges elected thereafter from holding their office as is now provided by law.

SEC. 10. All acts or parts of acts that conflict with this act are hereby repealed.

Approved, March 14, 1853.

Chap. 32.

An Act to amend chapter nineteen of the Revised Statutes.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section ninety-three, of chapter nineteen of the revised statutes, is hereby amended by adding to the section the following words: "If such district be situated in two or more towns, the clerk of each town shall, on demand of any person interested, furnish for the clerk of every other town in which any part of the district is situated, a certificate, showing the total amount of the valuations of taxable property in that part of the district situate in his town, according to the last assessment roll of said town and the amount of the judgment shall be assessed upon the respective parts of the district within the several towns in proportion to such valuations. In all cases where for any reason, the clerk of any town has heretofore failed, or shall hereafter fail to assess the amount of any such judgment, or the proper proportion thereof, in the next assessment roll after the rendition of the judgment, it shall be his duty to assess the same in any subsequent assessment roll within two years thereafter upon the taxable property within the district, or part of a district, situate within his town according to its limits at the time of making the assessment.

Approved, March 14, 1853.

An Act to authorize Town Clerks to certify to the State Superintendent the amount of money assessed for the support of schools, and to provide for levying a tax in certain cases. Chap. 33.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Towns to assess.

SECTION 1. Those towns that have not assessed by direction of the board of county supervisors, an amount equal to one-half the amount received from the school fund, shall, and are hereby authorized to certify, through the clerk of said towns, to the state superintendent, such additional amounts as have been assessed for the support of schools.

Towns to supply deficiency.

SEC. 2. Those towns that have not assessed by order of the board of county supervisors, and in addition thereto a sum of money equal to one-half the amount received from the school fund, are hereby authorized to supply such deficiency, by an immediate assessment upon the taxable property of said towns, such sum as shall be necessary; the same to be estimated and directed by the board of supervisors of the respective towns, to be levied and collected in the same manner as other taxes, and certified by the town clerk to the state superintendent, previous to the 15th day of April, 1853.

Superintendent to apportion to towns.

SEC. 3. The state superintendent is hereby authorized to apportion to the different towns that comply with the requisitions of this act, such sums of money as they may be thereby entitled to.

Approved, March 14, 1853.

An Act to amend chapter 432 of the Session Laws of 1852, entitled "an act to provide for the establishment of a Commissioner of Immigration for the State of Wisconsin in the city of New York," approved April 17th, 1852. Chap. 34.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

How elected.

SECTION 1. There shall be elected at the present session of the legislature in joint ballot of the two houses, a commissioner of immigration, who shall hold his office for the term of one year from and after the first day of May next.

Elected annually.

SEC. 2. After the first election under this act there shall annually be elected by the legislature a commissioner of immigration, who shall hold his office for the term of one

year from and after the first day of May next succ his election.

Repealing clause.

SEC. 3. Section two, and all parts of chapter the session laws of 1852, conflicting with the provis this act is hereby repealed.

SEC. 4. This act shall take effect and be in forc and after its passage.

Approved, March 17, 1853.

An Act to establish a code of procedure for the Police Court of the Milwaukee.

Chap. 35.

The people of the State of Wisconsin, represent Senate and Assembly, do enact as follows:

Powers, &c.

SECTION 1. The term of office of the police ju shall be two years. He shall be *ex officio* a justice o peace, with all the authority, powers, and rights o same, except that he shall in no case entertain any suit to which the city is not a party; and he shall and possess the jurisdiction and powers conferred u him by the charter of the city of Milwaukee, and the amendatory thereof.

May sue for, and recover fines, penalties, &c.

SEC. 2. The city of Milwaukee, in its corporate n may sue for and recover any and all fines, penalties, forfeitures under said city charter, and the acts ame tory thereof; or under the ordinances, by laws, or pu or health regulations made in pursuance thereof, general law of the state to the contrary notwithstandi and such action shall be commenced by complaint s stantially in the following form:

Form of complaint.

State of Wisconsin, }
Milwaukee County, } ss.
City of Milwaukee, }

being duly sworn, complains oath to the police justice of the city of Milwaukee, th did, on the d of 18 , violate the section an ordinance, by-law, or resolution (describing it by title), which said is now in force, this complainant verily believes, and prays that sa may be arrested, and held answer to the said city of Milwaukee therefor.

Subscribed and sworn before me, this da of 18 .

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Chap. 35.

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November, 1853, the county of Chippewa shall be organized for county purposes, and also for judicial purposes. Organized for county purposes.

SEC. 2. The county of Chippewa shall remain one town until the board of town supervisors shall divide the same into three or more towns, which division shall be made before the annual town elections of 1854. Town supervisors may create towns.

SEC. 3. There shall be elected at the annual town election, on the first Tuesday of April, 1853, in the said town of Chippewa, which comprises the whole territory of the said county of Chippewa, three supervisors, and all the town officers required to be elected in other towns of this state. Election of town officers.

SEC. 4. There shall be elected in the said Chippewa county, at the annual election in November next, such county officers as the said county by virtue of its organization and the privileges of this act shall be entitled to; and said officers shall hold their said office during the period of two years from and after the first day of January, A. D. 1854, and until their successors are elected and qualified. Election of county officers.

SEC. 5. There shall be elected by the qualified voters of said Chippewa county, on the third Tuesday of September next, a county judge, who shall enter upon the discharge of the duties of his office the first day of January, 1854, and hold his office for the term of four (4) years. Election of county judge.

SEC. 6. The circuit court in and for the said county of Chippewa, shall be held twice in each year, and at such times as the circuit judge may determine; and the county judge shall also have power to regulate or appoint the terms of his county court. Circuit court.

SEC. 7. The village of Chippewa Falls is hereby declared to be the seat of justice of the county of Chippewa, and it shall be the duty of the board of supervisors of Chippewa county, at their first session after the passage of this act, to locate the county buildings in such part of said village of Chippewa Falls, as they may deem most conducive to the best interests of the said county of Chippewa. Seat of justice.

SEC. 8. At the same meeting of the board of supervisors, they shall take such measures as they may deem proper to raise the necessary funds for the erection and completion of said buildings. County buildings.

SEC. 9. This act shall take effect, and be in force from and after its passage.

Approved, March 29, 1853.

Chap. 50.

An Act to ammend Chapter 19, of the Revised Statutes of this State.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Districts to levy tax.

SECTION 1. Chapter 19, of the revised statutes of this state, is hereby amended, so as to provide that no school district in this state, shall levy a tax, except at its first, and each annual meeting: *Provided*, That no person shall be entitled to vote in any school district of this state, who is not qualified to vote at a general election for state and county officers, and who shall not have resided at least ten days in the district where he or they may offer to vote.

Proviso.

Clerk to make out tax list.

SEC. 2. It shall be the duty of the clerk of each district, on or before the second Monday in October, in each year, to make out a tax list of the taxes legally voted by his district, and deliver such list, with his affidavit attached thereto, setting forth that the whole of the taxes contained in such list, were lawfully levied or assessed, according to the provisions of this act, to the town clerk of the town in which the lands taxed are situate, and he shall also notify the district treasurer of the amount of such tax.

Certificate to be filed.

SEC. 3. The town clerk, upon delivery to him of such list, shall give a certificate to the district clerk, of the amount of said list, which certificate shall be filed in the office of the said district clerk.

How tax collected.

SEC. 4. Such town clerk shall, in making out the duplicate assessment roll of the town, next thereafter enter such tax in a separate column therein, opposite the description of the lands upon which the taxes are so levied respectively, and such taxes shall be collected in the same manner as the town and county taxes are collected, and when collected, shall be paid over to the town superintendent of such town, who shall pay the same to the treasurer of the district in which such taxes were originally levied.

SEC. 5. All provisions of chapter 19, of the revised statutes of this state, which conflict with, or contravene the provisions or any provision of this act, are hereby repealed.

SEC. 6. This act shall take effect and be in force from and after the first day of September next.

Approved, March 29, 1853.

An Act concerning the Change of Venue. Chap. 51.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Whenever any person shall apply for a change of venue, of any cause pending in any court of record in this state, on account of the prejudice of the judge of said Court, in the manner provided by the first section of chapter ninety-five, (95) of the revised statutes, it shall be the duty of the judge or court to which such application is made, to award such change of venue: *Provided*, that not more than one change of venue shall be awarded in a cause; and this act shall not be construed as to authorize a change of venue in any cause wherein a change of venue has been already awarded: *And provided further*, That in cases now pending in the courts of record, in this state, wherein either party may have continued the case for one or more terms, a change of venue shall not be awarded in such case, otherwise than is provided in chapter ninety-five (95), of the revised statutes, but it shall be tried in the court where it is now pending, unless changed according to the provisions of said chapter.

SEC. 2. So much of section one (1), of chapter ninety-five (95), of the revised statutes as conflicts with the provisions of this act is hereby repealed.

Approved March 29, 1853.

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n Act to change the time of holding the April Term of the Circut Court in the County of Jefferson, and to provide for a Special Term thereof. Chap. 52.

The people of the State of Wisconsin, represented in enate and Assembly, do enact as follows:

SECTION 1. That the April term of 1853, of the circuit Postponement of April term.
ourt of the county of Jefferson, be, and the same is hereby ostponed, until the fourth Monday of October next.

SEC. 2. All writs, summons, process, recognizances, or Where proceedings returnable.
her proceedings, made returnable by any law of is state to the said April term of said court, shall taken to be returnable to the said October term: *rovided*, That it shall be the duty of the judge of Proviso.
id court, as soon as possible, to appoint and hold a special rm thereof, at which may be heard and determined all its and matters which might have been heard and deter- ned by the court at the said April term, hereby post- ned, and the clerk of said court, shall immediately after

such special term shall be appointed, cause notice thereof to be published in each of the newspapers printed in said county.

SEC. 3. The secretary of state, shall immediately cause this act to be published in the Watertown Chronicle, and State Register, printed at Watertown, in said county, and the same shall be in force from and after such publication.

Approved, March 29, 1853.

Chap. 53.

An Act to regulate the duties, and to provide for paying the salary of the Commissioner of Emigration, and the expenses of the office, and making an appropriation therefor.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Duties of commissioner.

SECTION 1. The commissioner of emigration shall keep an office in the city of New York, from the first day of May 1583, to the first day of May, 1854, at a convenient place in said city, and keep the same open during the usual business hours, to distribute free of expense, to the emigrants, pamphlets in their respective languages, containing a description of the state, to give the emigrant information in relation to the soil and climate of the state, the branches of business pursued therein, and the cheapest and most expeditious routes to reach the same; to keep up a correspondence with some of the most extensively circulated newspapers in Europe, wherein a detailed description of the natural advantages of the state of Wisconsin shall be given relating to agriculture, mining, manufacturing, mechanic purposes; to protect emigrants as far as practicable, against imposition; to report the number of emigrants sent to the state, their nationality and business, and to employ such assistants, and send them to other cities, to establish and open offices, and discontinue the same as it may be expedient.

Salary.

SEC. 2. The commissioner of emigration shall receive an annual salary of fifteen hundred dollars, to be paid quarterly by the state treasurer, in the same manner as the salaries of other state officers are paid.

Salary of assistant, &c.

SEC. 3. There shall be paid out of the treasury, to the commissioner of emigration, on the warrant or warrants of the governor, such sum or sums of money, not exceeding in all twenty-three hundred dollars, as in the judgment of the governor may be required for salary of assistants

office rents and expenses, printing and publishing pamphlets, cards, correspondence, and advertisements.

SEC. 4. The commissioner of emigration shall make and return annually to the governor, a full and detailed statement and account of all the expenses and disbursements of the office, which shall be testified by him by affidavit. To return account of expenses.

SEC. 5. This act shall take effect from and after its passage.

Approved, March 31, 1853.

An Act to provide for the publication of certain laws in the German Language. Chap. 54.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The secretary of state is hereby authorized and required to furnish to Schoeffler and Wendt, for publication in the Wisconsin Banner, one copy of all laws passed during the present session of the legislature, which by the law of last winter relating to printing, "are required to to be published in the volume of general laws."

SEC. 2. The said Schoeffler and Wendt, shall, as soon as all such laws mentioned in the foregoing section have been so published, file an affidavit with the secretary of state, of the correct translation and publication of said laws.

SEC. 3. The price for such publication, shall not exceed the amount charged for publishing the same laws in the English language, and shall also include translation from the English into the German language.

Approved, March 31, 1853.

An Act authorizing the borrowing of money on the faith and credit of the State, to defray the extraordinary expenditures. Chap. 55.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. For the purpose of defraying the extraordinary expenditures, a loan of fifty thousand dollars is hereby authorized and required to be made on the faith and credit of the state, in the form hereinafter specified, and for the following purposes, to wit: To pay the ap- Powers to borrow money.

How to be appropriated.

propriations for the maintenance and furnishing of the asylum for the blind, for territorial indebtedness, for the keeping of state prisoners, and to pay such appropriations as may be made for the expenditures incurred for the building and maintenance of the states prison, for paying the appropriations which may be made for the expenditures incurred in the impeachment of one of the judges of the circuit court of this state, now pending before this legislature.

Governor to prepare state bonds.

SEC. 2. The governor as soon as practicable after the passage of this act, shall cause to be prepared state bonds, with coupons attached, of the state of Wisconsin, printed in blank, for the sum of one thousand dollars each, to the number of fifty, and shall execute the same as the executive of the state, for, and on behalf of the state, and cause the great seal of the state to be affixed thereto. Said bonds to be made payable at such place within the state of Wisconsin, or at the city of New York, as may be deemed for the best interest of the state, five years from the first day of April, 1853, at a rate of interest not exceeding seven per cent. per annum, payable annually, at such place as the principal of said bond is made payable, the interest on said coupons being payable on the first day of April, 1854, 1855, 1856, and 1857; the principal on said bonds, to become due on the first day of April, 1858: *Provided*, That the interest due and payable, on the first day of April, A. D. 1854, and each year thereafter, until the principal is paid, may by the terms of said bonds and coupons, be made payable, and be paid, on any day previous to the day on which by the provisions of this section it becomes due, as the governor in his discretion may deem proper.

Proviso

To give public notice.

SEC. 3. Immediately after the passage of of this act, the goveror shall cause a notice to be published in one of the daily newspapers printed in the city of Milwaukee, giving notice that up to a day specified, not less than ten days from the first publication of said notice, he will receive sealed bids or proposals for the said bonds, in parcels not exceeding ten in number, and shall negotiate the same with the best bidder or bidders, whose bids or proposals are the most advantageous to the state: *Provided*, That the governor may negotiate a number of said bonds, not exceeding ten, immediately, if he shall deem it advisable: *Provided*, That the said money arising from the sales of said bonds and coupons, attached, shall be deposited with

Proviso

the treasurer of the state, and be applied by him for the purposes specified in the act: *And provided further*, That such bonds shall not be negotiated for less than their par value.

To levy tax to pay current expenses.

SEC. 4. An annual tax of one fifth of one mill on the dollar valuation, shall be and is hereby levied upon the taxable property in the state, for the years 1853, 1854, 1855, and 1856, to be collected in addition to, and with the state tax, levied annually, to provide for the current expenses of the state, and a sufficient amount of the proceeds of said tax is hereby appropriated annually to pay the said interest to become due on the first day of April, of the years 1854, 1855, 1856, and 1857.

To pay principal and interest on bonds.

SEC. 5. A state tax shall be and is hereby levied, for the year 1857, which shall be collected in addition to, and with the other state taxes for the same year, said tax to be a sum of money sufficient to pay the amount of principal of the bonds aforesaid, and the interest to become due, on the first day of April 1858: and unless the legislature at their session preceding the collection of any of the said taxes to pay the interest and the principal of said loan, shall make provision to levy and collect such annual tax, in addition to, and with the other state taxes, it shall be the duty of the secretary of state, then in office, to apportion such tax among the several counties, in proportion to the taxable property therein, as ascertained from the last returns made to him by the clerks of the several boards of supervisors, and shall before each annual session of such board of supervisors, make out and transmit to each clerk thereof, the amount of such tax so apportioned to his county, and shall in such case, charge to each county the amount apportioned to the same, and each of such counties shall be liable for the payment into the state treasury, by the second Monday of February next succeeding, for the amount so charged to the same.

When tax insufficient.

SEC. 6. Whenever the proceeds of any tax authorized by this act, shall be insufficient to pay the interest on said principal sum coming due, then, and such case, the treasurer shall pay the same out of any funds in the treasury not otherwise specially appropriated; and it shall be the duty of said treasurer, to forward the amount of interest or principal to become due, to the place where such bonds are made payable.

Property taxable.

SEC. 7. The legislature may from time to time, pass laws for the purpose of more effectually carrying out the

provisions of this act in regard to the taxes; and all property liable to taxation in any year for general state purposes, shall be liable to taxation under this act: *Provided*, That nothing herein contained, shall prevent the legislature from declaring from time to time, what property shall be liable to taxation.

SEC. 8. The faith of the state is hereby pledged, to carry out the provisions of this act.

SEC. 9. This act shall take effect from and after its passage.

Approved, March 31, 1853.

Chap. 56.

An Act for the appointment of a Travelling Emigrant Agent.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Governor to appoint emigrant agent.

SECTION 1. An emigrant agent for the state of Wisconsin shall be appointed by the governor, whose duty it shall be to travel constantly between this state and the city of New York, from the first day of May next, to the first day of December next, and see that correct representations be made in eastern papers, of our great natural resources, advantages and privileges, and brilliant prospects for the future; and to use every honorable means in his power to induce emigrants to come to this state.

Power to remove.

SEC. 2 The governor shall have power to remove such agent for inefficiency and misconduct in the discharge of the duties of his office, and to appoint some proper person in his place.

Salary.

SEC. 3. The agent shall be entitled to receive the sum of fifteen hundred dollars out of the state treasury, at the end of his term of service: *Provided*, He shall obtain the certificate of the governor to the fact that he has faithfully and energetically performed the duties of his office, and that his exertions have been attended with sufficient benefit to the state at large, to entitle him to it, otherwise he shall receive no compensation.

SEC. 4. This act shall take effect from and after its passage.

Approved, March 31, 1853.

An Act to amend Chapter fifteen of the Revised Statutes. Chap. 57.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Taxes unpaid, land sold.

SECTION 1. All lands upon which the taxes, interest, and charges shall not be paid, as provided by law, shall be sold therefor according to existing laws, and the officer making the sale shall set forth in the certificate thereof, issued to the purchaser, in addition to the facts now required by law to be stated in certificates of sale of lands, sold for taxes, that the holder of such certificates, has a lien upon the lands therein described, for the amount for which such lands were sold, and for all taxes subsequently assessed on such lands that he shall pay, with costs, charges, and interest, on the several amounts as provided by law, and that such holder may foreclose such lien, in the manner provided by law, at any time after the expiration of three years from the date of such certificate, and any law of this state requiring the officer making such sale, to state the time when the purchaser or holder will be entitled to a deed, in the certificate of sale, is hereby repealed.

Lien on land.

SEC. 2. The purchase money set forth in any certificate of sale, of any tract of land sold for taxes, and the costs, and charges, and interest, as allowed by law, and all taxes paid by the holder of such certificate, or his assigns, subsequent to the date thereof, with interest thereon at the rate of twenty-five per centum per annum, from the time of payment, shall be a lien upon such land until the same shall be redeemed as provided by law, and the transfer of any such certificate, shall also transfer to the assignee, the right of the assignor to such subsequent taxes and interest.

Holder of certificate can file bill in chancery.

SEC. 3. The holder of any certificate of sale of lands sold for taxes at any time after the expiration of three years from the date of such certificate, may in case there is no subsequent certificate of tax sale of such land unredeemed, and not owned by such holder, and also, in case all taxes assessed on such land subsequent to the date of such certificate, have been paid, file his bill in chancery in the circuit court of the county where the land lies, or in any other court in such county, having chancery jurisdiction, for the foreclosure of his lien under such certificate, by a sale of the land subject to such lien, under the decree of the court for the satisfaction thereof. The

Who to be made parties to the suit.

owner and all persons having any interest in such land if known, shall be made parties to the proceeding, and served with process, which process and the service thereof, shall conform as near as may be to the practice of the courts of chancery, in the forclosure of mortgages, and in case such owner or other person so interested, are unknown, the bill and proceedings shall be against the unknown owners of such land describing it; and in case any such land is occupied, notice of such foreclosure shall be served upon the occupant, who may defend the suit on his own motion. The court shall allow the complainant's lien, and the certificate of sale, and the receipts of the proper tax collecting officers, shall be evidence thereof, and shall upon ascertaining the amount of such lien, enter up a decree against the land for such amonnt, together with all the costs of suit and sale, and also a decree that the land and premises subject to such lien, or so much or such part thereof as will be sufficient to satisfy the amount so due, be sold to satisfy and discharge the amount of such decree against it, which decree of sale, shall be carried into effect as near as may be, in the same manner as decrees for the foreclosure of mortgages, and the complainant may become the purchaser at the sale. If the land should be sold for more than the amount of the decree against it, and all costs, the excess shall be paid over to those entitled to it, under an order of the court. The decree of foreclosure shall set forth the amount of liens against each tract of land, as the same was sold, and the whole of each tract of land shall be offered for sale separately for the amount of liens decreed against it, unless the court shall otherwise order and decree. Upon the coming in of the report of sale made by the officer conducting the same, the court shall, if no good cause be shown to the contrary, enter an order directing such officer to execute, acknowledge and deliver to the purchaser, or his or her assignees, a deed of the lands and premises so sold, which deed shall be executed and acknowledged as deeds for the convey ance of real estate, are required to be executed and acknowledged by the laws of this state and such deed so executed and acknowledged, shall be conclusive evidence that the title in fee simple of the lands and premises described in such deed, is absolutely and indefeasibly vested in the grantee thereof, subject however to be divested by a reversal of the decree of foreclosure or the proceedings subsequent thereto.

Notice to be served on occupant.

Court to enter order.

SEC. 4. All lands sold for taxes may be redeemed from such sale in the manner provided by existing laws at any time before the deed is executed, approved and acknowledged, as provided by this act, by paying to the clerk of the board of supervisors the amount of the certificate of sale, and all subsequent taxes paid by the holder of such certificate, with the interest; and if such redemption is sought to be made, after suit is brought to foreclose the tax lien on any land so sought to be redeemed, the same shall be made by paying the amount thereof, together with all interest and costs of suit, to the clerk of the court. Lands may be redeemed.

SEC. 5. Any person or party interested in the orders and decrees of the court made under this act, may appeal therefrom to the supreme court as in other cases. May appeal to Supreme Court.

SEC. 6. The owner of any land, or person interested therein, the tax lien upon which has been foreclosed, in pursuance of the provisions of this act, may file at any time within one year after such foreclosure, in the proper court, his petition under oath, stating that the taxes assesed upon such land for the year which was the basis of such foreclosure, were actually paid, or if sold for such taxes, that the land was redeemed from such sale as provided by law, or that such land was not subject to taxation for such year, and also that he had no personal notice of the suit for such foreclosure, and thereupon the court shall open such decree of foreslosure, and award a hearing upon the facts alledged only, and if upon such hearing the facts alledged shall be found to be true, the court shall set aside the decree of foreclosure, and order the deed to the purchaser to be cancelled, and enter up a decree cancelling the same, and that the land conveyed by such deed, be discharged from such tax lien, which was the basis of such deed, and shall also by decree, award costs to the defendant or defendants. When decree of foreclosure set aside. Any minor owning or having any interest in land sold for taxes, which shall be foreclosed under this act, at any time before arriving at full age, and one year thereafter, may on petition, have a hearing of such forclosure upon the merits of the cause, and may have the right of redemption at any time before the second final decree of foreclosure; and idiots, insane persons, and married women, shall have the same right to a rehearing in such cases as minors, at any time within five years after the final decree of foreclosure shall be entered up: *Provided*, That in no case, shall any decree of foreclosure be set aside under this section, unless the taxes Minors to have right of redemption. Proviso.

actually, and in good faith paid by the complainant in such foreclosure suit, and also the amount paid by the purchaser at the sale under such foreclosure, or by any person claiming under him, with interest thereon from the date of payment, at the rate of twenty-five per cent. per annum, are paid or tendered, to the person or persons claiming under such foreclosure sale, unless the same taxes have also been paid by the person seeking to set aside such foreclosure, or those under whom he claims.

Bill to be supported by oath.

SEC. 7. In bills to foreclose under this act, it shall not be necessary to a valid decree, that the names of the owners are correctly set forth, if the premises are described with reasonable certainty. The bill shall be supported by the oath of the complainant, or of some person having a knowledge of the facts alledged; it shall set forth the names of the persons interested if known, and if unknown, that the complainant on diligent inquiry, could not ascertain those facts, and it shall only be necessary further to state, except as is otherwise provided by this act, the amount of lien claimed on each tract of land as the same was sold, and that the complainant prays the sale of the premises to satisfy such lien.

Who made parties.

SEC. 8. Any person interested in the premises described in any bill of foreclosure, filed under the provisions of this act, and not named therein as a defendant, shall be made a party defendant in such suit, at any time before a decree shall be entered for the sale of the premises, on making and filing an affidavit in said court, setting forth that he is interested in said premises; and no defendant in any foreclosure suit instituted under the provisions of this act, shall be allowed to set up by his plea, answer, or otherwise, any other defence or defences, to the complainant's bill except the following, viz:

1. That the premises described in the complainant's bill, or some part thereof, were not subject to taxation at the time the tax or taxes were levied, for the non-payment of which the same were sold.

2. That the tax or taxes for the non-payment of which the said premises were sold, were in fact paid before such sale.

3. That the said premises were redeemed as provided by law, previous to the filing of said bill of foreclosure.

SEC. 9. In case a party holding any certificate of sale, shall pay the taxes subsequently assessed, and wish to avail himself of the provisions of this act, as to the re-

demption for said subsequent taxes, he shall file with the clerk of the board of supervisors of the county in which the land lies, a copy of the receipt for such taxes, and it shall be the duty of the clerk to enter said amount in his book of record of tax sales.

SEC. 10. Section ninety-five, one hundred and seven, one hundred and nine, and one hundred, of chapter fifteen of the revised statutes, so far as relates to land sold for taxes, after the passage of this act, and the certificates upon such sales, and all parts of any law of this state which conflicts with the provisions of this act, are hereby repealed.

Approved, March 31, 1853.

An Act to authorize the Secretary of State to audit certain accounts. Chap. 58.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Publishers accounts to be audited.

SECTION 1. The secretary of state or deputy secretary of state, is hereby authorized and required to audit the accounts of the several newspaper publishers of this state, for newspapers furnished the legislature during the present session, and to settle such accounts, allowing said publishers for three months papers, at the advertised rates of such papers per year.

Verified by oath.

SEC. 2. Such accounts shall be verified to the secretary, by oath of such publishers, that the papers were furnished during the session, accompanied by a statement of the yearly terms of such papers.

SEC. 3. The secretary of state, or deputy secretary of state, is authorized to draw warrants on the state treasurer, in favor of the respective publishers for the amounts found due them, and there is hereby appropriated out of any monies in the state treasury not otherwise appropriated, a sum sufficient to meet said drafts.

Approved, April 2, 1853.

An Act to provide for the contingent expenses of the State of Wisconsin, for the year one thousand eight hundred and fifty-three. Chap. 59.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of five thousand dollars is hereby appropriated to Leonard J. Farwell, governor of this

Appropriation for contingent expenses.

state, out of any money in the treasury not otherwise appropriated, for the purpose of defraying the contingent expenses of the state, for the year one thousand eight hundred and fifty-three, which sum shall be drawn from time to time, as may be required. And the governor shall communicate to the legislature at its next session, a detailed account of such expenses for the year 1853, and the amount expended of this appropriation.

Approved, April 2, 1853.

Chap. 60.

An Act to cede the jurisdiction of the State of Wisconsin over certain lands to the United States.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Land ceded the U. S. for light-house purposes.

SECTION 1. That the jurisdiction of the state of Wisconsin, over five acres or less of land which may be selected by an officer of the United States government, for light house purposes; to be located at or near the northern outlet of lake Winnebago, near Menasha, in the county of Winnebago, and state of Wisconsin, be and the same is hereby ceded to the United States, for the purpose of maintaining a light house on the same: *Provided*, That this act shall in no manner take away or interfere with the jurisdiction of this state for the purpose of serving or executing any legal process.

Proviso.

SEC. 2. This act shall take effect from and after its passage.

Approved, April 2, 1853.

Chap. 61.

An Act in relation to Clerks of Circuit Courts and for other purposes.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Clerks of circuit and county courts not to practice as attorneys in their own counties.

SECTION 1. No person acting as clerk of any circuit or county court in this state, shall be allowed to practice as attorney or solicitor, in the court in which he is acting as clerk.

SEC. 2. No practising attorney shall be allowed to hold his office in the office of the clerk of any court in which he is a practicing attorney.

Approved, April 2, 1853.

An Act to provide for the purchase of Stationery for the next Legislature. Chap. 62.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. James Halpin, is hereby authorized to purchase all stationery necessary for the use of the next legislature.

SEC. 2. There is hereby appropriated out of any money in the treasury not otherwise appropriated, the sum of two thousand dollars, as a contingent fund, for the purchase of such stationery. Appropriation to purchase stationery.

SEC. 3. The said James Halpin is hereby required to make out an accurate account of the disposition of such fund, to the proper committee of the next legislature, and he is also required to give a bond in the sum of three thousand dollars, to the state treasurer, with sureties, which bond shall be approved by the governor, for the faithful expenditure of the said sum of two thousand dollars, or so much thereof as may be necessary for the purposes mentioned in the first and second sections of this act: *Provided*, That before drawing any of said sum of two thousand dollars, the said James Halpin shall make and execute such bond to the state treasurer, with two or more sufficient sureties, to be approved by the governor: *And provided also*, That the purchase of stationery made by the said James Halpin, shall be by contract, and said contract shall be let to the lowest bidder, in accordance with section 25, of article 4, of the constitution of this state. Required to give bond. Proviso.

Approved, April 2, 1853.

An Act to provide for the compensation of Members of the Legislature. Chap. 63.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Each member of the senate and assembly, of this state, shall be entitled to receive two dollars and fifty cents, for every day's attendance during the session of the legisture, and ten cents for every mile he shall travel, in going to and returning from the place of the meeting of the legislature, on the most usual route. Per diem of members of legislature.

SEC. 2 The speaker of the assembly, shall be entitled to receive for every day's attendance during the session of the assembly, two dollars and fifty cents in addition to his per diam as a member of the assembly. And president Of Speaker.

Of President pro tem. of Senate.

pro tem. of the senate, two dollars and fifty cents per diem, in addition to his pay as a member of the senate, for every day he may serve during the session, as such president pro. tem., to be certified to by the chief clerk of the senate.

Of Lieutenant Governor.

SEC. 3. The lieutenant governor shall be entitled to receive five dollars for every days attendance as president of the senate, and the same mileage as is allowed to members of the senate and assembly.

When paid.

SEC. 4. Such sums as may become due to each member respectively, including the lieutenant governor, and speaker of the assembly, shall be paid by the state treasurer out of the state treasury, upon the receipt of a certificate, signed by the president of the senate or speaker of the assembly, (as the case may be), setting forth the number of days that the member in whose favor it is given has attended, and the estimated distance of his place of residence, from the place of the meeting of the legislature.

SEC. 5. There is hereby annually appropriated a sum sufficient, to be paid out of the state treasury, to meet the demands of this act, without any further legislation.

Approved, April 2, 1853.

Chap. 64. An Act to authorize the Governor to designate a Circuit Judge to hold the May Term of the Milwaukee Circuit Court.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Governor to appoint judge to hold May term of circuit court for Milwaukee county.

SECTION 1. The governor is hereby authorized to designate and appoint some one of the judges of the circuit courts of this state, to hold the May term of the circuit court, in the county of Milwaukee.

Proviso.

SEC. 2. The judge who may be designated and appointed by the governor, in pursuance of the first section of this act, is hereby required to hold the May term of the circuit court in the county of Milwaukee: *Provided*, Such judge is not by present laws, required to hold a term in any county in the judicial district in which he resides, in the month of May next.

SEC. 3. This act shall be published immediately, and shall take effect and be in force from and after its passage.

Approved, April 2, 1853.

An Act to amend Section eight, of Chapter one hundred and nineteen of the Revised Statutes. Chap. 65.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section eight, of chapter one hundred and nineteen, of the revised statutes, is hereby so amended, as only to require that the sureties in the replevin bond therein mentioned, should swear that they are worth an amount each, over and above all debts and exemptions, sufficient in the aggregate, to amount to the penalty of the bond.

Approved, April 2, 1853.

An Act granting further powers to the Board of Supervisors of the several Counties. Chap. 66.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The board of supervisors of each county in this state, shall have power and authority at any legal meeting in addition to the powers heretofore conferred upon them, to equalize the assessment upon plank and railroad companies passing through the several towns in said counties, either to raise or lower the same.

Approved, April 2, 1853.

An Act to amend Chapter ninety-three, of the Revised Statutes. Chap. 67.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Chapter ninety-three of the revised statutes, is hereby so amended as to authorize tender in all cases of involuntary trespass; and when in the opinion of the court or jury, a sufficient amount was tendered to the party injured, his agent or attorney, for the trespass complained of, judgment shall be entered against the plaintiff for costs: *Provided*, That the defendant keep his tender good, by paying the amount of money into court, at the trial, for the use of the plaintiff.

Approved, April 2, 1853.

Chap. 68. An Act providing for the organization of Joint Stock Companies.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Organization. SECTION 1. All corporations organized and established under the provisions of this law, shall be capable of suing and being sued, pleading and being impleaded, answering and being answered unto, appearing and prosecuting to final judgment, in any court in this state; they may have a common seal, and alter the same at pleasure; elect in such manner as they may determine, all necessary officers, fix their compensation, and define their duties; ordain and establish by-laws for the government and regulation of their affairs, and alter and repeal the same, and employ all such agents, mechanics, and other laborers as they shall think proper.

Election of officers.

Number of persons requisite to constitute a body politic. SEC. 2. Any number of persons not less than three, who by articles of agreement in writing, shall associate according to the provisions of this law, under any name assumed by them, for the purpose of engaging in, and carrying on any kind of manufacturing, mechanical, mining, or quarring business, or any other lawful business, and who shall comply with the provisions of this law, shall, with their succes ors and assigns, constitute a body politic and corporate, under the name assumed by them in their articles of association.

Amount of stock required. SEC. 3. The amount of the capital stock in every such corporation, shall be fixed and limited in their articles of association, and shall in no case be less than four thousand dollars, nor more than three hundred thousand dollars, and shall be divided into shares of twenty-five dollars each.

Purposes for which established. SEC. 4. The purpose for which every such corporation shall be established, shall be distinctly and definitely specified by the stockholders in their articles of association, and it shall not be lawful for said corporation, to direct its operations, or appropriate its funds to any other purpose.

Two members may call first meeting. SEC. 5. When any number of persons, shall have associated according to the provisions of this law, any two of them may call the first meeting of the corporation, at such time and place as they may appoint by giving notice thereof in any one or more newspapers, published in the county in which said corporation is to be established, or in any adjoining county, at least fifteen days before the time appointed for such meeting.

SEC. 6. The stock, property, affairs and business, of every such corporation, shall be under the care of, and shall be managed by not less than three directors, who shall be chosen annually, by the stockholders, at such time and place as shall be provided by the by-laws of said corporation, and who shall be stockholders; and shall hold their offices for one year, and until others shall be chosen in their stead. Three directors to be chosen annually.

SEC. 7. Every such corporation shall, by their said name, have power to acquire and hold all such lands, tenements, and hereditaments, and all such property, of every kind, as shall be necessary, for the purposes of said corporation; and such other lands, tenements, and hereditaments, as shall be taken in payment of, or as security for debts, due to such corportion, and to manage and dispose of the same at pleasure. Their powers.

SEC. 8 The directors of every such corporation shall choose one of their number to be president, and shall also choose a secretary and treasurer, and such officers as the by-laws of the corporation shall prescribe, who shall hold their offices until others shall be chosen in their stead. May appoint president and officers.

SEC. 9. The directors may call in the subscription of the capital stock of such corporation, by installments, in such proportion and at such times and places as they shall think proper, by giving such notice thereof, as the by-laws shall prescribe; and in case any stockholder shall neglect or refuse payment of any such installment, for the space of sixty days, after the same shall have become due, and payable, and after he shall have been, notified thereof, the stock of such negligent stockholder, shall be sold by the directors at public auction, giving at least thirty days notice in some newspaper, published in the county where the business of such corporation is transacted, or in an adjoing county; and the proceeds of such sale, shall be first applied in payment of the installment called for, and the expenses attending the call, and the residue shall be refunded to the owner thereof; and such sale shall entitle the purchaser to all the rights of a stockholder, to the extent of the shares so bought. May call in subscription of capital stock. Power to sell in case of non-payment.

SEC. 10. A majority of the directors of any such corporation, convened according to the by-laws, shall constitute a quorum for the transaction of business; and a majority of the stockholders present at any legal meeting, shall be capable of transacting the business of that meeting; and at all meetings of such stockholders, each share shall entitle the holder therof to one vote. Number required to transact business.

To fill vacancies.

SEC. 11. The directors of any such corporation, for the time being, shall have power to fill any vacancy which may happen in their body by death, resignation or otherwise, for the current year.

Election of directors.

SEC. 12. If it shall so happen that an election of directors in any such corporation shall not take place at the annual meeting thereof, in any year, such corporation shall not thereby be dissolved, but an election may be had at any time within one year, to be fixed upon, and notice given by the directors.

May call meetings.

SEC. 13. The by-laws of such association formed under this law, thall contain ample provisions for the calling of meetings, in case of a failure to hold the regular annual meeting.

Books open for inspection.

SEC. 14 The books of every corporation, containing their accounts, shall at all reasonable times be open for the inspection of any of the stockholders, and as often as once in each year, a statement of the accounts of such corporation shall be made by order of the directors.

May increase capital.

SEC. 15. Every such corporation may increase its capital stock, and the number of shares therein, at any meeting of the stockholders specially called for that purpose: *Provided*, That the amount so increased, shall not exceed the amount authorized by the provisions of this law.

Stock deemed personal property.

SEC. 16. The stock of every such corporation shall be deemed personal property, and be transferred only on the books of such corporation, in such form as the directors shall prescribe; and such corporation shall at all times

Lien on.

have a lien upon all the stock or property of its members, invested, for all debts due from them to such corporation.

Articles of corporation to be published before formed.

SEC. 17. Before any corporation formed and established by virtue of the provisions of this law, shall commence business, the president and directors thereof, shall cause their articles of association to be published at full length, in two newspapers published in the county in which said corporation is located, or in an adjoining county if there be such papers, if not, in the newspaper published nearest to the location of said corporation; they

Purposes for which formed.

shall also make a certificate of the purposes for which such corporation is formed, the amount of their capital stock, the amount actually paid in, and the names of their shareholders, and the number of shares by each respectively owned; which certificate shall be signed by the

Certificate to be signed by president.

president and a majority of the directors, and deposited

with the secretary of state, and a duplicate thereof, with the town clerk of the town, or clerk of the village or city, in which said corporation is to transact its business; and said secretary of state, and town clerk shall record the same, in books to be kept by them for that purpose; and within thirty days after the payment of any installment called for by the directors of such corporation, a certificate thereof shall be made, signed, deposited and recorded, as aforesaid.

Increase of capital stock.

SEC. 18. If any such corporation shall increase its capital stock as before provided, the president and directors shall, within thirty days thereafter, make a certificate thereof, which shall be signed, deposited and recorded, as in the preceding section is provided.

Certificate of capital.

SEC. 19. Every such corporation shall annually, in the month of January or of July, make a certificate containing the amount of their capital, actually paid in, the amount of their debts and credits at the time of the making of such certificate, as nearly as the same can be ascertained, with the name of each stockholder, and the number of shares held by him at the date of such certificate, which certificate shall be signed by the president and secretary of said company, and deposited with the town clerk of the town, or clerk of the city or village in which such corporation transact their business; and whenever any stockholder shall transfer his stock in any such corporation, a certificate of such transfer shall forthwith be deposited with the clerk as aforesaid, who shall note the time of said deposite, and record it at full length, in a book kept by him for that purpose; and no transfer of stock shall be valid as against any creditor of such stockholder, until such certificate has been so deposited; and all certificates of transfers of stock made pursuant to the provisions of this section, shall be valid without being verified by the oath or affirmation of the person subscribing the same.

Notice of transfer.

When not valid.

When valid.

Certificates required on oath.

SEC. 20. The certificates required by the three preceding sections, except certificates of transfer of stock, shall be made under oath or affirmation, by the person subscribing the same; and if any person shall, as to any material facts, knowingly swear or affirm falsely, he shall be deemed guilty of perjury, and be punished accordingly.

Penalty for false swearing.

Liability of stockholders.

SEC. 21. If the capital stock of any such corporation shall be withdrawn, and refunded to the stockholders, before the payment of all the debts of the corporation, for which said stock would have been liable, the stockholders

shall be liable to any such creditor, of such corporation, in an action founded on this statute, to the amount of the sum refunded to them respectively, as aforesaid:

Proviso. *Provided always*, That if any such stockholder shall be compelled by any such action to pay the debts of any creditor, or any part thereof, he shall have the right by bill in equity, to call upon all the stockholders to whom any part of said stock has been refunded, to contribute their proportional part of the sum paid by him as aforesaid.

Liability of directors. SEC. 22. If the directors of any such corporation shall declare and pay a dividend when the corporation is insolvent, or any dividend, the payment of which would render it insolvent, knowing such corporation to be insolvent, or that such dividend would render it so, the directors assenting therennto shall be jointly of severally liable in an action founded on this statute, for all debts due from such corporation at the time of such dividend.

Liability of president, directors, secretary, &c. SEC. 23. If the president, directors, or secretary of any such corporation shall intentionally neglect or refuse to comply with the provisions of, and to perform the duties required of them, respectively, by the 17th, 18th, and 19th, sections of this act, such of them so neglecting or refusing, shall jointly and severally, be liable, in an action founded on this statute, for all debts of such corporation contracted during the period of any such neglect and refusal.

Penalty for violation of law. SEC. 24. If any corporation organized and established under authority of this act, shall violate any of its provisions, and shall thereby become insolvent, the directors ordering or assenting to such violation, shall jointly and severally, be liable in an action founded on this statute, for all debts contracted after such violation as aforesaid.

Liability of stockholders. SEC. 25. The stockholders of any corporation, organized under the provisions of this act, shall be jointly and severally liable for all debts that may be due or owing to all their laborers, servants and apprentices, for service performed by them for such corporation, within six months next preceding the demand made for any such debt, and if any stockholder is compelled to pay such debts, he shall have his remedy by bill in equity, or otherwise, to obtain a contribution from the other stockholders of their proportion of such debt.

Legislature may rescind SEC. 26. The legislature may at any time, for just cause rescind the powers of any corporation organized under this

act, and prescribe such mode as may be necessary for the settlement of its affairs. powers of corporation.

SEC. 27. Chapter 51 of the revised statutes of this state, and all other laws conflicting with the provisions as herein established for the organization and government of joint stock companies, are hereby repealed.

Approved, April 2, 1853.

An Act to prohibit the circulation of unauthorized Bank paper. **Chap. 69**

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. No person or persons, shall issue, pay out or pass, and no body corporate, shall issue, pay out or pass, or receive in this state as money, or as an equivolent for money, any promissory note, draft, order, bill of exchange, certificate of deposit, or other paper of any form whatever, in the similitude of bank paper, circulating or inteded to circulate as money or banking currency, that is not at the time of such issuing, paying out passing, or receiving, expressly authorized by some positive law of the United States, or one of the United States or of Canada, and redeemable in current gold and silver coin, at the place where it purports to have been issued. And the burden of proving the existence of such law, and the redemptionof the promissory note, bill of exchange, draft, order, certificate of deposit, as aforesaid, at the place of issue, shall rest upon the person or body corporate, paying out, passing, receiving or issuing the same. Circulation of unauthorized bank paper prohibited.

SEC. 2. From and after the first day of January, A. D. 1854, no person or persons, or body corporate shall pay, give or receive in payment, or in any way, circulate as money, any bank bill, promissory note, check, draft, or other evidence of debt, which shall purport to be for the payment of a less sum than five dollars, and which may have been issued by any banking association or corporation out of this state, and any person or persons, or body corporate offending against any of the provisions of this section, shall forfeit and pay for every such offence not less than five, nor more than one hundred dollars, to be recovered by any person, sueing therefor, as debts of the like amount are by law recoverable, one half for his own use and the other half to be paid into the county treasurer. Of a sum less than five dollars.

Penalty on person violating.

SEC. 3. Any person who shall knowingly violate the provisions of the first section of this act, shall be deemed guilty of a misdemeanor, and shall upon conviction be punished by fine of not less than ten; nor more than one hundred dollars, or by imprisonment in the county jail for a term of not less than one, nor more than six months, or by such fine and imprisonment, in the discretion of the court.

Body corporate violating.

SEC. 4. Any body corporate that shall violate the provisions contained in the first section of this act, shall forfeit all the rights privi eges and franchises conferred by the charter or act of incorporation of such body corporate, and shall also forfeit and pay for every such violation, for the use of the school fund of this state, the sum of five hundred dollars, to be recovered by an action of debt in any court of competent jurisdiction in the name of the state of Wisconsin, on the relation of any person who may see fit to prosecute the same. And any officer, director, stockholder or agent, of such body corporate, who shall in the name of such corporation or otherwise, violate any of the provisions of said first section, shall be subject to all the pains and penalties prescribed in the second section of this act, the same as if said violation had been committed in his individual capacity; and any such offence committed by any person named in this section, may be prosecuted in any county of this state where any of said paper may be found circulating.

Person informing.

SEC. 5. Any person who shall inform against, and cause to be prosecuted to conviction any person, or who shall on his own relation cause to be prosecuted to judgment any body corporate for violating the provisions contained in the first section of this act, shall be entitled to receive one half of the fine or forfeiture imposed for such violation when collected.

Justice of the peace to have jurisdiction.

SEC. 6. Justices of the peace shall have full power and concurrent jurisdiction to try and determine all misdemeanors, arising under the provisions of this act, upon complant on oath being made for that purpose, by any person, in the same manner, and with same privilege of trial by jury to the accused, as provided in chapter eighty-nine of the revised statutes of Wisconsin.

Effect on contracts.

SEC. 7. All contracts that shall be made or entered into of any kind whatever, the consideration of which, in whole or in part, shall consist of any such circulating paper as is prohibited by the first and second sections of this

act, and all payments made in any such unauthorized paper shall be null and void for any purpose whatever.

SEC. 8. The certificate of the secretary of state of any of the several states of the United States, and his hand and seal, shall be legal evidence of the corporate existence of any and all banking corporations within such state.

SEC. 9. This act shall be immediately published by the secretary of state, and take effect and be in full force from and after the first day of July, 1853: The secretary of state, shall cause this act to be published in every newspaper in this state.

Approved, April 2, 1853.

An Act for the encouragement of Agriculture, and its kindred arts, in this State. **Chap. 70.**

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby annually appropriated, until the legislature shall by law otherwise direct, to the Wisconsin state agricultural society, the sum of one thousand dollars, to be expended by said society, in such manner as it may deem best calculated to promote and improve the condition of agriculture, horticulture, and the mechanical, manufacturing and household arts in this state, either for the payment of premiums, at the annual cattle shows and fairs of the society, or in the purchase and distribution of choice seeds, cuttings, plants or tubers, which have been tested and found adapted to the soil and climate of this state, or to the prosecution of scientific investigations and experiments, and the collection and diffusion of information tending to develop the natural and agricultural resources of Wisconsin. Sum appropriated.

SEC. 2. It shall be the duty of the executive committee, of the said Wisconsin state agricultural society, to keep an accurate account of the manner of expenditure of the said sum of money hereby appropriated, and transmit the same, together with the vouchers therefor, to the governor of this state, in the month of January, in each year, to be by him laid before the legislature. Duty of executive committee.

SEC. 3. It shall also be the duty of the said executive committee of the Wisconsin state agricultural society, to collect, arrange, and collate all the information in their power in relation to the nature, origin and preparation of

soils, the cultivation and growth of crops, the breeding and management of stock, the application and character of manures and fertilizers, the introduction of new cereal and other grains, and other agricultural subjects, and report the same together with a statement of their own proceedings to the governor of this state in the month of January in each year, to be by him laid before the legislature.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved, April 2, 1853.

Chap. 71. An Act to provide for the contingent expenses of the office of the Bank Comptroller.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

To procure iron safes.

SECTION 1. The Bank Comptroller, is hereby authorizeed to procure one suitable iron safe, to be deposited and kept in the vault of the state treasurer's office, and one suitable iron safe to be kept in his own office, for the safe keeping of the books, papers, and banking securities, belonging to said office; and his accounts for the same shall be audited by the secretary or state, and if allowed by him shall be paid out of the state treasury upon his warrant.

SEC. 2. There is hereby appropriated out of any monies in the treasury not otherwise appropriated by law, to James S. Baker, the present bank comptroller, the sum of three hundred dollars, for procuring books, and forms, and for other expenses incurred in establishing said office.

SEC. 3. This act shall take effect from and after its passage and publication.

Approved, April 2, 1853.

Chap. 72. An Act to amend Chapter thirty-four of Revised Statutes.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Chapter 34 of the revised statutes, is hereby amended so as to read as follows: "Chapter 34, of land and water."

SECTION 1. The river Mississippi, and the navigable waters, leading into the Mississippi and St. Lawrence, and

the carrying places between the same, shall be common highways, and forever free as well to the inhabitants of the state, as to the citizens of the United States, without any tax, impost or duty, therefor: *Provided*, That nothing herein contained, shall prevent the collection of all tolls imposed for necessary easements, constructed in the said navagable waters. Proviso.

SEC. 2. All rivers and streams of water in this state in all places where the same have been meandered, and returned as navagable by the surveyors employed by the United States government, are hereby declared navagable to such an extent, that no dam, bridge, or other obstruction, may be made in or over the same, without the permission of the legislatue: *Provided*, That nothing herein contained, shall be construed so as affect to any act now in force granting to towns, or county boards of supervisors, the power to erect, or authorize the construction of bridges across such streams. Navigable streams to be common highways. Proviso.

SEC. 3. The boundaries of lands adjoining waters, and the several and respective rights of individuals, the state, and its citizens, in respect to all such lands and waters, shall be determined in conformity to the common law, so far as applicable as evidenced by judicial determinations in other states, in which the courts in such cases have adhered to its principles: *Provided*, That the provisions of this section shall have no effect in the determination of causes now pending in any of the courts of this state. Boundaries determined by common law. Proviso.

Approved, April 2, 1853.

An Act to repeal Chapter three hundred and forty, and Chapter four hundred and sixty-four of the Session Laws of A. D. 1852. **Chap. 73.**

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Chapter three hundred and forty, and four hundred and sixty-four, of the session laws of eighteen hundred fifty-two, are hereby repealed, and all acts or parts of acts repealed by either of said chapters, are hereby revived: *Provided*, That nothing herein contained shall have the effect to prohibit the receiving of any scrip, issued in conformity with chapter 340 of the session laws of 1852, in payment for lands belonging to the improvement: *Provided further*, That from and after the passage of this act, the board of public works shall not have the Board of Public Works.

power to authorize the construction of any new work, or the enlargement of any work under any new or old contracts, otherwise than now provided in such contracts as exist, and are in force at this time, [nor] not to authorize any expenditure of money, not essentially necessary to the carrying out of existing contracts, and further, shall not have power to make any new contract, or alter, or change, or renew any old contract relating to the sale or leasing of any water power, now created or which may hereafter be created upon said improvement: *Provided further*, All warrants issued by the board of public works, on account of the Wisconsin river fund, shall draw interest at the same rate as provided for in chapter one hundred and sixty-four of the session laws of 1852: *Provided, furter*, That the repeal of said acts shall not in any wise effect pre-emption rights, now required, nor the rights of corporate authorities, of town sites, and of the county judge to enter such town sites for the uses and purposes now provided by law.

Proviso.

Approved, April 2, 1853.

Chap. 74. An Act to pay the Commissioner of the State Prison the sum of money therein named.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Appropriation to Commissioner of State prison.

SECTION 1. There is hereby appropriated to the commissioner of the state prison, out of any money in the treasury not otherwise appropriated, the sum of ten thousand dollars, to be drawn by the commissioner in quarterly instalments of twenty-five hundred dollars each; the first instalment to be draw on the sixth day of April inst., for the purpose of defraying the current expenses of the state prison for the year eighteen hundred and fifty-three, and paying a certain account provided for in this act.

SEC. 2. The commissionor is hereby authorized to pay Jenkin Jenkins, eighteen dollars and eighty cents, John P. Gee nine dollars, Taylor and Winkley seven dollars and fifty cents, J. Look one hundred dollars, John Howard fifteen dollars and thirty-eight cents, Jas. K. Smith twenty-five dollars and Charles Youmans fifty-nine dollars; on the payment of said accounts, the commissioner is instructed to take vouchers for the same.

Approved, April 2, 1853.

An Act to amend section five of Chapter eighty-nine of the Revised Statutes. **Chap. 75.**

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section five of chapter eighty-nine of the revised statutes, is hereby amended by adding thereto, the following proviso: *Provided*, That if the defendant shall, before he pleads to said complaint, make oath that from prejudice or other cause, he believes the justice will not decide impartially in the matter, then said justice shall immediately transmit all the papers in the case, to the nearest justice qualified by law, to try a cause between the state and the defendant who shall proceed to hear, try and determine the same, in the same manner, as it would have been lawful for the justice before whom the warrant was returnable to have done.

Approved, April 2, 1853.

An Act authorizing Railroad Companies to make certain contracts and connections. **Chap. 76.**

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Any railroad company in this state shall have full power and authority to make and enter into such contracts with any railroad company which has constructed, or shall hereafter construct any railroad, or railroads, terminating upon the eastern shore of lake Michigan, within the state of Michigan, as will enable said companies to run their roads in connection with each other, in such manner as they shall deem most beneficial to their interest; and such contracts when so made, shall have the same force and effects as they would have in case such power had been conferred by the acts creating such incorporations. Railroad Companies may contract.

SEC. 2. It shall be lawful for such companies to build, construct, and run as a part of their corporate property, such number of steamboats, or vessels as they may deem necessary to facilitate the business operations of such company or companies.

Approved, April 2, 1853.

Chap. 77. An Act to amend Section one hundred and thirty-six of Chapter ten of the revised Statutes.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Duties of surveyor.

SECTION 1. Section 136, of chapter 10, of the revised statutes of this state, is hereby amended so as to read as follows: "Whenever a surveyor is required to make a subdivision of a section as established by the United States survey, he shall proceed as follows, except when the section is fractional: commencing at either quarter section corner of the section, he shall run north or south and east or west, across said section, and establish a common centre therefor, which centre shall be the same distance from the north quarter post that it is from the south quarter post, and the same distance from the east quarter post, that it is from the west quarter post; at which point a post shall be firmly fixed and driven into the ground; and if practicable, two bearing trees shall be marked with a suitable instrument, one quarter S. and their course and distance from the said post noted in the plat and field notes: any less subdivision than a quarter section shall be made by proceeding in the same manner, except in fractional sections, the corners of which shall be established and noted as before provided for; the surveyor denoting the quantity upon the bearing trees as one-eighth, or one-sixteenth, as the case may be.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved, April 2, 1853.

Chap. 78. An Act to amend Chapter sixty-two of the Revised Statutes.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Order for sale of real estate.

SECTION 1. Whenever an order shall be made by the judge of probate for the sale of any real estate for the payment of any valid claim against the deceased, and charges of administration, and such real estate is ordered to be sold, shall be subject to the right of dower in the widow, it shall be lawful for the executor or administrator to make and enter into a contract, in writing with the widow, by which she may agree to accept in lieu of her dower in trust, such a per centage on the amount realized on the sale as shall be deemed upon the

principles of law, applicable to annuities, a reasonable satisfaction for such dower interest, which said contract shall be filed in the office of the judge of probate, together with an affidavit setting forth the age of the widow; and the said contract when acknowledged and assented to by said widow, in open court, before said judge of probate, and approved by such judge, shall operate as a release of dower on the part of the widow, on the said real estate, and the same shall be sold free and clear of all claim of dower: and immediately after the said sale so ordered shall have been made, the executor or administrator shall file with the judge of probate, the receipt of the widow, for the said per centage in lieu of her right of dower, or he shall deposit the same right with the judge of probate for her use and benefit, to be paid to her when she endorse a receipt for the same, on the said contract.

Contract to be filed in the probate office.

Approved, April 2, 1853.

An Act concerning Bills of Exchange and Promissory Notes. **Chap. 79.**

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. That whenever any bill of exchange, draft, promissory note, or other negotiable security or paper, shall according to the terms thereof, become due and payable on either New-Year's day, Sunday, Christmas, fourth of July, or the day of the year which shall be designated by the governor as a day of thanksgiving, such bill, draft, note or other negotiable security or paper, shall be deemed and considered in law to be due and payable on the day succeeding, unless that day shall be a Sunday, and in that case on the Monday succeeding.

In relation to negotiable paper.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved, April 2, 1853.

An Act to amend Chapter forty-one of the Revised Statutes. **Chap. 80.**

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

That chapter forty-one of the revised statutes be, and the same is hereby amended, by adding to the said chapter as section fifteen as follows, to wit: If the owner

or owners of any addition to any city or town within the municipal jurisdiction of any such city or town, be desirous of altering or vacating the same, or any part thereof, in addition to the notice prescribed in section 3, they shall also give two weeks previous notice in writing to such town or city, of the time and place at which such application shall be made to the court, and upon producing satisfactory evidence to the court that such notices have been given, the court shall proceed to hear and determine such petition, and may alter or vacate such addition or any part thereof, and by decree direct that the title to such portions of such addition as may be vacated, be vested in the owner or owners of the lots or lands abutting on, or adjoining the portions so vacated, to each, from the ... his or their lot of land to the center of the portions so vacated, in such proportions as may be determined by the court; and that the decree so made, together with a plat if the same shall have been altered, shall be recorded in the office of the register of deeds for the proper county, in the same manner as is provided in the said chapter for recording plats.

Notice to be given.

Decree to be recorded.

Approved, April 2, 1853.

Chap. 81.

An Act to amend Chapter eighty-four, of the Revised Statutes.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. In all suits in chancery ... to compel a specific performance of the ... any mortgage made by any person ... who have died, and his, her, or their heirs, or any of them, are unknown to the complainant or complainants, it shall be lawful for him, her, or them, to proceed against such unknown heirs, as against absent defendants, and he, she, or they, may be made defendant or defendants to the bill by the name or description of "The unknown heirs of ... deceased," filling the blank with the name or names of the deceased person or persons, whose heirs may be proceeded against, and by such name or description, notice shall be given by publication, and any decree made against such unknown heirs, shall be as valid and binding as if his, her, or their respective names had been inserted in the bill and proceeding.

Suits to foreclose mortgage.

SEC. 2. In suits againts non-resident infant defendants, notice may be given to them by publication, as in case of suits against other non-resident defendants, and after due publication, and proof of such notice, the court may appoint a guardian ad litem, for such infant or infants. Notice by publication.

Approved, April 2, 1853.

An Act relating the discharge of Joint Debtors. **Chap. 82.**

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. In all cases where any defendant shall receive his discharge in writing, from any person competent or authorized to execute the same, from the operation of any judgment rendered against him and one or more defendants, in any court of record of this state, on presenting the same to the clerk of the court, in which such judgment is docketed, it shall be the duty of the clerk to file the same in his office, with the papers in the case, and to enter or transcribe the same at length in the appearance docket with the other recorded proceedings in the case; and shall also enter the discharge in the margin of the judgment docket, in substance as follows: This judgment discharged, as to (here insert the name of the party discharged): Dated . Such discharge shall specify whether any part of the judgment and what amount thereof, is satisfied by such defendant in consideration of his discharge, and only the balance of the judgment so remaing unsatisfied, shall thereafter be collected in any execution which has been or shall be issued on such judgment. When defendant discharged.

SEC. 2. When a judgment shall be discharged as provided in the first section, the same shall from thence cease to operate as a lien upon the real estate of the defendant thus discharged, shall forever be inoperative against him, his goods and chattles, lands and tenements; and in case execution shall issue upon such judgment, it shall be the duty of the clerk of the court before delivering the same to the proper officer, to endorse thereupon, the entry made in the margin of the judgment record as provided in the first section. Clerk to make record.

Approved, April 2, 1853.

Chap. 83. An Act to authorize the Secretary of State to audit certain accounts.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The secretary of state is hereby authorized to audit the accounts of those who translated the bank law, in accordance with the resolution of 1852, and there is hereby appropriated out of any money in the treasury not otherwise appropriated, a sufficient sum to pay for such translation.

Approved, April 2, 1853.

Chap. 84. An Act to provide for levying a State tax.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Amount to be levied.

SECTION 1. There shall be levied and collected for the year 1853, in addition to the two-fifths of one mill on the dollar valuation, by law to be collected for the purpose of paying the interest on the state loans, a state tax of five mills and three fifths of one mill, on the dollar valuation, such entire state tax of six mills on the dollar valuation, to be levied, collected, and paid into the state treasury, as is provided by the revised statutes of this state.

How to be levied.

SEC. 2. The supervisors of the respective counties are hereby required to levy the foregoing tax, upon the taxable property in their several counties according to the laws of the state, for the assessment and collection of taxes.

Act to be published.

SEC. 3. The secretary of state is hereby required immediately after the passage of this act, to cause the same to be published by the state printer, in a newspaper printed at the seat of government, and transmit to each clerk of the board of supervisors of the several counties of this state, a copy of the newspaper containing this act.

Approved, April 2, 1853.

Chap. 85. An Act to provide for the Adoption of Children.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Must petition county judge.

SECTION 1. Any inhabitant of this state may petition the county judge, in the county where he or she may

reside, for leave to adopt a child not his or her own by birth.

Parents to give consent.

SEC. 2. If both, or either of the parents of such child shall be living, they, or the survivor of them, as the case may be, shall consent in writing to such adoption; if neither parent be living, such consent may be given by the legal guardian of such child: if there be no legal guardian nor father nor mother, the next of kin of such child within the state, may give such consent, and if their be no such next of kin, the county judge may appoint some discreet and suitable person, to act in the proceedings as the next friend of such child, and give or withhold such consent.

Or next of kin.

Or county judge.

When child may consent.

SEC. 3. If the child be of the age of fourteen years or upwards, the adoption shall not be made without his or her consent.

Wife of petitioner must give consent.

SEC. 4. No petition by a person having a lawful wife shall be allowed unless such wife shall join therein: and no woman having a lawful husband shall be competent to present and prosecute such petition, unless the husband consent thereto.

Judge to make decree.

SEC. 5. If upon such petition, so presented and consented unto, as aforesaid, the county judge shall be satisfied of the identity and relations of the persons, and that of the petitioner, or in case of husband and wife, that the petitioners are of sufficient ability to bring up the child, and furnish suitable nurture and education, having reference to the degree and condition of its parents, and that it is fit and proper that such adoption shall take effect, he shall make a decree setting forth the said facts, and ordering that from and after the date of the decree, such child should be deemed and taken to all legal intents and purposes, the child of the petitioner or petitioners.

Legal consequences and incidents.

SEC. 6. A child so adopted as aforesaid, shall be deemed for the purposes of inheritance and succession by such child, custody of the person, and right of obedience by such parent or parents by adoption, and all other legal consequences and incidents of the natural relation of parents and children, the same to all intents and purposes as if such child had been born in lawful wedlock of such parent or parents by adoption, saving only that such child shall not be deemed capable of taking property expressly limited to the heirs of the body or bodies of such petitioner or petitioners.

SEC. 7. The natural parent or parents of such child,

Parties deprived of all legal rights.

shall be deprived by such decree of adoption, of all legal rights whatsoever as respects such child; and such child shall be freed from all legal obligations of maintenance, and obedience as respects such natural parent or parents.

May take appeal.

SEC. 8. Any petitioner, or any child which is the subject of such petition, by any next friend, may claim and prosecute an appeal to the circuit court, from such decree of the county judge, in like manner and with the like effect, as appeals may now be claimed and prosecuted from order and decree of probate court, saving only that in no case shall any bond be required of, nor any costs awarded against, such child or its next friend so appealing.

Approved, April 2, 1853.

An Act regulating the terms of the County Court of the County of Ozaukee.

Chap. 86.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The terms of the county court, of the county of Ozaukee, shall hereafter be held on the first Monday in January, April, July and October, in each year.

SEC. 2. This act shall take effect from and after its publication.

Approved, April 2, 1853.

Chap. 87.

An Act fof the preservation of Fish.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Seine or net not to be used.

SECTION 1. It shall not be be lawful for any person or persons to draw or use any seine or net, in any of the inland lakes situated within the limits of this state for the purposes of taking or catching fish: *Provided*,

Proviso.

Such lake shall contain an area of less than twelve square miles.

Gill net to be used.

SEC. 2. It shall not be lawful for any person or persons, to use or set any gill net, for the purpose of taking or catching fish in any of the inland streams, or watercourses within this state, whereby the free pas-

sage of fish, up or down such stream or watercourse, shall or may be obstructed.

Penalty for seine.

SEC. 3. Any person or persons convicted of fishing with a seine or net, in any of the inland lakes within this state, as described in section one of this act, shall be subject to a fine for each and every such offence, of not more than twenty, nor less than two dollars, to be recovered in an action before any justice of the peace of the county in which the offence may be committed.

Penalty for gill net.

SEC. 4. Any person or persons convicted of using any gill net, for the purpose of taking or catching fish, as described in section two of this act, shall be subject to a fine for each and every such offence, of not more than five, nor less than one dollar, to be collected as provided in section three of this act.

Justices of the Peace may cause arrests.

SEC. 5. It shall be the duty of any justice of the peace residing in the county in which any such offence shall be committed, on the filing in his office a complaint by any person in writing, stating the time when, and the place where, and the name of the person or persons, by whom the offence above described has been committed, together with an affidavit setting forth the facts as alleged, to cause such person or persons to be arrested, and brought before such justice, or some other justice of the same county, and upon conviction, shall fine such person or persons in such amount as he shall deem proper, not inconsistent with sections three, or four of this act, which fine, when collected, said justice shall pay one half to the person making the complaint, the balance to be paid into the county treasury as provided by law: *Provided*, This act shall not be construed to include any Indians, who may reside within the limits of this state.

Proviso.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved, April 2, 1853.

An Act to amend chapter forty-seven title thirteen of the Revised Statutes, and for other purposes.

Chap. 88.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Amendment.

SECTION 1. Section 5, of chapter 47, of title 13, of the revised statutes, is so amended as to read "Clerk of the

board of supervisors," where the words "Clerk of the county" occurs.

Societies to file certificates, &c.

SEC. 2. All religious societies, organized under the provisions of this chapter, that may have filed their certificates of election of trustees, and church or society name, with the clerk of the circuit court, or register of deeds, shall as soon as may be, after the passage of this act, cause such certificate or a transcript thereof to be filed with and recorded by the clerk of the board of supervisors, of the proper county, and upon complying with this act, shall be deemed legally organized.

Clerks to obtain books.

SEC. 3. The several clerks of the board of supervisors in this state, not yet supplied with suitable books for recording the certificates aforesaid, shall immediately procure such books at the expense of the respective counties.

Approved, April 2, 1853.

Chap. 89.

An Act concerning Probate Courts.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Probate courts may renew licenses, heretofore or hereafter granted by such counties, to executors, administrators or guardians, authorizing the sale of lands of any deceased person or ward, and such licenses may be so renewed from time, and for such length of time, as such court shall deem proper.

SEC. 2. This act shall be printed immediately after its passage, and when so printed shall be in force.

Approved, April 2, 1853.

Chap. 90.

An Act in relation to appeals from the decision of Town Superintendents.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Appeals.

SECTION 1. That whenever an appeal shall have been made from the decision of any town superintendent to the state superintendent of schools, and the decision appealed from, is reversed, if any money shall have been apportioned and paid to any school district, upon such decision of the town superintendent, previous to the final decision of the state superintendent; and if the state superintendent shall have also decided that such

money be refunded by the school district, in such case the town superintendent, shall certify a notice to the district clerk of the district to which such money has been apportioned, and paid, that the decision of town superintendent has been reversed by the state superintendent, upon such certificate, the board of such district shall proceed to collect the amount, so paid by said superintendent, in the manner as provided by law, for the assessment and collection of school district taxes.

In case of neglect, town superintendent to commence suit against district.

SEC. 2. That if the said district board shall neglect or refuse to collect said amount of money, as provided in section one of this act, for the period of sixty days, after due notice thereof, then and in that case, it shall be the duty of the town superintendent, to commence suit in his name of office, against any such district, to recover any money so due, or any part thereof, from such district.

How apportioned.

SEC. 3. All money or monies which shall come into the hands of any town superintendent, pursuant to the provisions of this act, shall be considered school funds, and shall be apportioned to the several school districts of the town, as provided by law.

SEC. 4. This act shall take effect and be in force from and after the passage thereof.

Approved, April 2, 1853.

An Act to revive Chapter one hundred and five of the session laws of A. D. 1850—Reducing the fees of Town Treasurers in certain case.

Chap. 91.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Chapter 105, of the session laws of A. D. 1850, and chapter 388, of the session laws of the year 1851, are hereby revived, and declared to be in full force, and all the provisions of any act conflicting therewith, are hereby repealed.

Approved, April 2, 1853.

An Act in relation to the Assessment and Collection of Taxes, on State, School and University Lands, sold on contract.

Chap. 92.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The assessors of each town in this state,

How lands to be assessed.

shall in making out their assessment rolls, for the year 1853, and every year thereafter, enter upon said rolls, in a separate column, under a distinct heading, a list of all state, school, and university lands, in their towns respectively, which shall be held on contract, which lands shall be assessed in the same manner as other lands are now assessed, without regard to any balance of purchase money remaining unpaid on the same: *Provided*, That the secretary of state shall as soon as may be, make out and transmit to the clerk of the board of supervisors, of each county of this state, an abstract containing a correct and full statement and description, of state, school and university lands, held on contract, and upon the receipt thereof, the said clerk shall immediately make out and transmit to the clerk of each town in the county, a list from said abstract, of the lands as held on contract in such town.

Proviso.

Town clerk to make out list.

SEC. 2. The town clerk of each such town, shall include such list under the same heading, in the roll delivered to the town treasurer, who shall collect the taxes, on any such land, in the same manner as he is required by law to collect other taxes, and return a separate list of such land on which the taxes shall not have been paid to the county treasurer, at the time fixed for him to return other lands.

Delinquent taxes to be returned.

SEC. 3. The county treasurer shall not sell any such delinquent lands for such taxes; but if the same should not be paid on of before the first day of December next, following the time when said returns is made, with interest thereon, at the rate of twelve per cent. from the first day of January preceeding said return; the said county treasurer shall immediately forward certified lists of such lands on which the taxes remain unpaid, to the state treasurer, who shall place the amount of such delinquent tax and interest, to the credit of the proper county, and charge the same against the proper description of land, and the same provisions of law that apply to the payment of interest, on any such land, and the forfeiture thereof, for the non payment of such interest, shall apply to the collection of such delinquent taxes, and the school commissioners shall in no case execute the patent for any such land, until all taxes are paid.

SEC. 4. Any law of this State contravening the provisions of this act is hereby repealed.

Approved, April 2, 1853.

An Act to provide for the payment of Mortgages on the Canal Lands, and the discharge thereof. Chap. 93.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Mortgages to be cancelled, on payment of principal.

SECTION 1. Any person or persons indebted to the territory or state of Wisconsin, for or by reason of the purchase of any lands included in the grant of land under an act of congress, entitled "An act to grant a quantity of land to the territory of Wisconsin, for the purpose of aiding in opening a canal, to connect the waters of lake Michigan with those of the Rock river, and who shall have executed a mortgage, upon said land, to secure the payment of the purchase money, or part thereof, or who shall become liable to pay said mortgage, by reason of the purchase or assignment subsequently from the original purchaser, his heirs and assigns, may on or before the first day of January, one thousand eight hundred and fifty-four, pay to the state treasurer, the amount of principal, due upon said mortgage, without interest upon the same, computing the land at the rate of one dollar and twenty five cents per acre, and the state treasurer on receiving said payment, shall execute and deliver to such person or persons a receipt in full therefor, containing the amount of principal by him received, together with date and full description of the mortgage upon which said payment is to apply.

Attorney general to discharge mortgage.

SEC. 2. The attorney general, upon the delivery of the said receipt of the state treasurer, shall forthwith discharge the mortgage, or when he shall have delivered to him satisfactory evidence of said principal having been received by any legally authorized officer, to receipt the same, then, in that case, he is authorized and directed to discharge said mortgage.

Who entitled to benefit of this act.

SEC. 3. Any person or persons holding an undivided or divided portion in any such lands before specified, shall be entitled to all the benefits and provisions of this act, for such portions of land held by him or them.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved, April 2, 1853.

An Act to provide for the division and alteration of towns.

Chap. 94. *The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

What towns subject to division.

SECTION 1. No town in any county in this State, with an area of six miles square, or less, shall be divided, or have any part stricken therefrom, without submitting the question to a vote of the legal voters of the town. Nor unless a majority of all the legal voters residing in such town, shall vote for the same.

Question of division to be submitted to the people.

SEC. 2. When thirty or more freeholders, residents of any town, shall apply to the county Board of Supervisors for a division of such town, the Supervisors at the next annual town meeting, held for the election of town officers, shall submit the question to a vote of the legal voters of such town; the ballots shall contain the words, (written or printed, or partly written or printed) "for division," or the words "against division," and if the majority of votes cast on the subject, be for division, the Supervisors are hereby authorized to divide such town; but if a majority of votes cast on that subject, be against division, the town shall not be divided: *Provided*, That no application shall be acted upon by any Board of Supervisors, as hereinbefore provided, unless it contains the names of at least one-third of the voters of the town proposed to be divided; to be determined by the vote at the last general election in said town.

Proviso.

SEC. 3. All acts or parts of acts, that conflict with the provisions of this act, is hereby repealed.

SEC. 4. This act shall take effect and be in force, from and after its passage.

Approved, June 6, 1853.

An act to amend article four of the Constitution.

Chap. 95. *The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

How members of assembly chosen.

SECTION 1. Section four of article four of the Constitution, is hereby so amended as to read as follows: The members of assembly shall be chosen biennially by single districts, on Tuesday next succeeding the first Monday of November, by the qualified electors of the several districts; such districts to be bounded by county, precinct,

town or ward lines, to consist of contiguous territory, and to be in as compact a form as practicable.

SEC. 2. The last clause of section five of said article, is hereby so amended as to read as follows: The senate districts shall be numbered in regular series. The senators chosen by the present odd numbered districts, in the year 1854, shall hold their offices until the last day of December, one thousand eight hundred and fifty-six. Senate districts.

The senators chosen by the present even numbered districts, in the year 1855, shall hold their offices until the last day of December, one thousand eight hundred and fifty eight. Thereafter, senators shall be chosen for the term of four years; but the legislature at any new apportionment, shall so classify the senators to be elected from any additional senate districts which may be formed, that the term of office of all senators elected from even numbered districts, shall expire at the same time, and the term of office of all those elected from odd numbered districts, shall expire at the same time.

SEC. 3. Section 11 is hereby so amended as to read as follows: The legislature shall meet at the seat of government, once in two years, and not oftener, unless convened by the Governor. Legislature to meet once in two years.

SEC. 4. This act is hereby referred to the legislature to be chosen at the next general election, and shall be published at least three months prior to the said general election, in the manner prescribed by law for the publication of session laws. Notice to be published.

SEC. 5. The first session of the legislature after the ratification of this act as provided for in article 12, of the Constitution, shall be held in the year 1855.

Approved, June 6, 1853.

An act to repeal certain acts giving to Corporations or Companies, the right to take, use or occupy, School, University or State Lands, without just compensation therefor. Chap 96.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. All such parts and provisions of any acts or laws of this State, as give to any person, company or corporation, the right to take, use or occupy any school, university or state lands, or any timber gravel or other material thereon, without just compensation therefor, are hereby repealed.

SEC. 2. The commissioners of the school and university lands, shall have power to grant to any railroad company, any land belonging to the people of this State, which may be required for the purposes of their road, on such terms as may be agreed upon by them; and if any land belonging to the State, is required by any company, for the purposes of a railroad, the said commissioners may grant such land to such company, upon such terms and for such compensation as may be agreed upon.

Approved, June 6, 1853.

An act to amend section 137 of chapter 10 of the Revised Statutes.

Chap. 97.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one hundred and thirty seven, of chapter ten of the Revised Statutes, is hereby so amended as to read as follows:

Every sheriff, clerk of the circuit court, register of deeds, county treasurer and clerk of the board of supervisors, shall keep his office at the seat of justice of his county, and in the office provided by the county, if any such has been provided; and if there be none established, then at such place as shall be fixed by special provision of law; or if there be no such provision, then at such place as the county board of supervisors shall direct; and shall keep the same open during the usual business hours each day, Sundays excepted; and all books and papers, required to be kept in their office, shall be open for the examination of any person, and any person when so examining the same, may take notes from such books, records or papers or take minutes therefrom; and if any of said officers shall neglect or refuse to comply with the provisions of this section, he shall forfeit, for each day he shall so neglect or refuse to comply with the same, the sum of five dollars.

SEC. 2. This act shall take effect and be in full force, from and after publication.

Approved, June 30, 1853.

An act to incorporate an association, for the completion of the improvement of the Fox and Wisconsin rivers.

Chap. 98.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Mason C. Darling, Otto Tank, Morgan L.

Martin, Edgar Conklin, Benjamin F. Moore, Joseph G. Lawton, Urial H. Peak, Theodore Conkey and their associates, formed under the name and style of the "Fox and Wisconsin Improvement Company," by articles of association, dated the first day of June, in the year eighteen hundred and fifty three, and such other persons as may become purchasers of the capital stock of said association, are hereby incorporated upon the conditions and terms, contained in said articles, a copy of which shall be filed in the office of the secretary of state; and the said association shall have all the powers incident to a corporation under the laws of this State. Persons composing association.

SEC. 2. The works of improvement contemplated by the act entitled "an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal," approved August 8, 1848, and by several acts supplemental thereto and amendatory thereof, and known as the "Fox and Wisconsin rivers improvement," together with all and singular the rights of way, dams, locks, canals, water power, and other appurtenances of said works, also all the right possessed by the State, of demanding and receiving tolls and rents for the same, so far as the State possesses or is authorized to grant the same, and all privileges of constructing said works, and repairing the same, and all other rights and privileges belonging to the improvement, to the same extent and in the same manner that the State now hold or may exercise such rights by virtue of the acts above referred to, in this section, are hereby granted and surrendered by the State of Wisconsin, to the said "Fox and Wisconsin improvement company:" *Provided*, That the said improvement shall in all future time, be free for the transportation of the troops of the United States, and their munitions of war, without the payment of any tolls whatever: *And Provided*, That no provision of this act shall be so construed as to allow, permit or authorize the charge or collection of any tolls or transit duties, for the passage of any vessel, goods, merchandize or property of any kind, along or over the main channel of said rivers: *And also Provided*, The said company shall charge no higher rate of tolls than was established by the board of public works for the year eighteen hundred and fifty one and two, which rates of toll shall be uniform at each lock, and to all persons and boats passing along or through the same: *And further provided*, That each of the members of Rights and privileges. Proviso. Proviso. Proviso. Proviso.

said company, within thirty days from the passage of this act, shall file with the secretary of state, a bond or bonds in the sum of twenty five thousand dollars, payable to the State of Wisconsin, and shall justify on oath before a judge of the circuit court, that they are worth in unincumbered estate or property the amount of the penalty therein, and conditioned that the said company shall vigorously prosecute the said improvement to completion, and complete the same within three years from the passage of this act, on the line located by the board of public works and as contemplated in the report of the board of public works, and estimated by the chief engineer on the first day of January, 1853, in a substantial and durable manner and so as to enable boats with a draft of two feet and breadth of thirty feet, during ordinary stages of low water, to pass with facility from Green Bay into the Wisconsin river; shall pay the contractors on said improvement, the estimates which shall from time to time become due upon their contract; shall pay said contractors any damages awarded or that may hereafter be awarded them by decree or judgment of any court of this State or of the United States; and shall pay all outstanding evidences of indebtedness on the part of the State as trustee or otherwise issued on account of the said improvement, as the same shall become due, or if now due, within ninety days after demand made upon said company, and further conditioned to save harmless, the state of Wisconsin, from any and all liabilities in anywise arising or growing out of the said improvement, or any contract, agreement, law or laws in relation thereto: *And provided further*, That no part of the improvement, rights, property or lands mentioned in this act, shall pass into the possession of such company; nor shall such company acquire any title thereto, or exercise any right or control over the same, until such company shall first procure from White, Resley and Arndt, Morgan L. Martin, Wm. A. Barstow, William McNaughton and company, and Curtis Reed, the several contractors on the Fox and Wisconsin rivers improvement, releases of all claims and demands which such contractors, or either of them may have, or claim to have, against the State, either for work performed under their respective contracts, or for damages by reason of any nonfulfillment of such contract or contracts, by the State, to be executed in due form of law, and file the same in the office of the secretary of state. Nothing in

Proviso.

this act shall be so construed as to give the company hereby created, the right to collect or receive any other or more revenue from the use of said improvement, than this State would be entitled to collect or receive if the State should complete said improvement, by the expenditure of the grant of land or in any other way.

All property to be delivered to association.

SEC. 3. As soon as the bond or bonds, and releases referred to in the second section of this act, be filed with the secretary of state, the said company are hereby authorized to take possession of said improvement, appurtenances, property and assets hereby surrendered and granted unto them, and to proceed to complete the same; and it shall be the duty of the officers and agents, having charge of said improvement, to deliver to said association, all the property, surveys, maps, plats, profiles and estimates, belonging to said improvement; an acknowledgement of the receipts of which, shall be signed by the officers of said company and filed in the office of the secretary of state.

Lands granted

SEC. 4. The lands granted by Congress in aid of said improvement, and remaining unsold, shall be, and are hereby granted to the Fox and Wisconsin improvement company, upon the following terms and conditions, to wit: Whenever the said company shall deposite with the state treasurer, any amount of the outstanding evidences of indebtedness against said improvement funds, or shall transfer and deliver to him any amout of the stock of the United States, or of any state, at its value in the New York market, the said company may select as much of said lands as shall be equal in amount at one dollar and twenty five cents per acre, to the indebtedness so surrendered, or the value of the stock so transferred; and a discriptive list of the lands so selected, being filed in the office of the secretary of state, the lands shall thereupon be and become the property of said company, without any other or further act to be done or performed on the part of the State. And whenever all the evidences of indebtedness shall be paid and surrendered by the company, all the remaining lands, embraced in the grant made by Congress, and not previously conveyed to them, and the stocks that may have been transferred as aforesaid, shall be and become absolutely the property of said company; and all the lands so conveyed, shall be exempt from taxation of every description, by and under any law of this State, until after the same shall have been sold

Lands exempt from taxation.

and conveyed, or contracted to be sold, or leased, or improved by said company: *Provided*, Said exemption do not continue longer than ten years. And the lands selected by and conveyed to the company as aforesaid, shall be in such quant ties and under such cond.tions, as specified in the proviso to the second section of the act of Congress, entitled "an act to grant a certain quantity of land to aid in the improvement of the Fox and Wisconsin rivers, and to connect the same by a canal, in the Territory of Wisconsin," approved August 8th, 1848: *Provided*,

Proviso. That any person who may have acquired the right of preemption under the laws of the State, or the United States, to any portion of said lands, or has settled thereon in his own right, prior to the pa-sage of this act, shall be entitled to purchase the same of said company, at the minimum price of one dollar and twenty five cents per acre, at any time within three months after said lands shall be selected by the company, and notice of said selection published in a newspaper, printed at the seat of government of the State; and in all cases of contested claims to such right of pre emption, the judge of the county court is hereby authorized and empowered, either in term time or vacation, to take proofs and hear, try and determine such right, in the same manner as the register of the state land office is now authorized to do by law; and subject to an appeal to the circuit court, as now provided by law for appeals from said register. And it shall be the duty of the Governor, to take every necessary means to obtain, at as early a day as possible, the lands heretofore selected, and such as may hereafter be located by the company for the balance of the grant in aid of said improvement.

How damages to be paid. SEC. 5. In all proceeding against the State for damages, or other claims on account of said improvement, the award or decree of which, by the terms of this act, would have to be paid by the Fox and Wisconsin improvement company hereby incorporated; the said company shall be made a party to said suit, and shall have all the rights and privileges of a defendant therein: *Provided, expressly*,

Proviso. That nothing contained in this act shall be construed as an admission of any indebtedness or liability on the part of or against this State, growing out of or connected with any contract heretofore made for the construction or repair of any of the works of improvement on the Fox and Wisconsin rivers.

SEC. 6. This act shall be a public act, and shall be

liberally construed in all courts of jurisdiction, and the State solemnly pledges its faith to confer by future legislation, all such powers as may be found necessary to enable the said corporation to carry into full effect, the fair andobvious intent and meaning of this act.

SEC. 7. This act shall take effect from and after the full organization of said association, and the giving and filing of the bonds herein before mentioned, and thereafter all acts and parts of acts, contravening the provisions of this act, shall cease to be in force: *And provided*, That after this act takes effect as above, the board of public works shall continue to exercise the duties required by law, for the period of thirty days, so far only as to audit and allow all claims and demands for work done and services performed, by direction and employment of said board; and the claims so allowed shall constitute a portion of the debts and liabilities, to be paid and discharged by the said company, according to the provisions of this act, and the obligations of their said bonds. And the said company shall pay to each of the members of said board, the compensation now allowed by law, for the time they may be engaged in auditing and allowing said claims. After the expiration of said thirty days, the duties of said board shall cease, and no compensation whatever, shall be allowed for any services claimed to have been rendered thereafter. And after the property, surveys, plats, maps, profiles and estimates, belonging to said improvement, are delivered to said company, and a receipt therefor is given and filed, as provided in the third section of this act, the duties of the register and receiver of the state land office, shall cease in like manner.

When to take effect.

Proviso.

SEC. 8. The State may become the owner and proprietor of the works of improvement, constructed under this act, and of the whole works of improvement, at any time after twenty years, upon paying to said association or their assigns, the actual costs expended by said association in the construction of said improvement, over and above the avails of the grant of land made by Congress, and applied or received by said company, to aid in said improvement; the said lands to be estimated at the rate of one dollar and twenty five cents per acre.

State may become owner.

SEC. 9. That the grant made in this act to said company, is expressly intended to aid them in the construction and completion of the said Fox and Wisconsin rivers

improvement; therefore, until the said improvement is completed as contemplated in this act, no part of said grant shall be diverted to any other object.

Approved, July 6, 1853.

Chap. 99. An act to amend an act entitled "an act to divide St. Croix county, and create the county of Pierce and Polk."

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. That section five, (5) of an act entitled an act to divide Saint Croix county, and create the counties of Pierce and Polk, approved March 14th, A. D. 1853, is hereby so amended as to read as follows: That the seat of justice of the said county of St. Croix, shall be and remain at its present location in the village of Hudson, and the seat of justice in the county of Pierce, shall be located at the village of Prescott; and the seat of justice for the county of Polk, shall be located at the village of St. Croix Falls: *Provided*, That said counties of Pierce and Polk, may at the next general election, to be held in November, A. D. 1853, alter location by a majority of all the legal voters of said counties, at such election.

Approved, July 6, 1853.

Chap. 100 An act to divide the county of Jackson, and create the counties of Buffalo and Clarke.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. All that portion of the county of Jackson
Boundaries. lying west of the range line, between ranges seven and eight, (7 and 8) west of the fourth principal meridian, be and the same hereby is organized into a separate county, to be called and known by the name of "Buffalo;" and all that portion of the said county of Jackson lying north of the township line between township twenty two and twenty three, (22 and 23) and east of the range line between ranges three and four, (3 and 4) west of the said fourth principal meridian, be and the same hereby is organized into a separate county, to be called and known by the name of "Clarke."

SEC. 2. On the first Monday in September next, the
Organization. electors of the said counties of "Buffalo" and "Clarke,"

shall each elect a county judge, and the said counties from and after the first day of January, 1854, shall be organized for judicial purposes.

Election of county officers.

SEC. 3. The electors in the said counties of Buffalo and Clarke, shall at the general election in November next, elect all county officers necessary for a complete county organization in each county, and it shall be the duty of the county treasurers, and clerk of the board of supervisors thus elected in each of said counties, at least four weeks previous to the spring election in 1854, to divide their respective counties up into as many towns as they shall deem expedient for the convenience of the inhabitants; and until the said division be made the county of Buffalo shall remain as one town, and the county of Clarke shall also remain as one town.

Elections held.

SEC. 4. The polls necessary to be opened for the elections provided for in this act, shall be opened in Buffalo county at Holmes' Landing, and in Clarke county at O'Neil's Mill; and the returns of said election shall be left with the inspectors of said elections, and the said inspectors shall, within ten days from the holding of any election, issue certificates of election to the persons elected to the respective offices.

County seat of Buffalo county

SEC. 5. The county seat for the county of Buffalo, is hereby located on section one (1) in township number nineteen (19) north, range number twelve (12), west of the fourth principal meridian.

County seat of Clarke county

SEC. 6. The county seat for the county of Clarke is hereby located on section two, (2) township twenty four, (24) range (2), west of the fourth principal meridian.

Courts.

SEC. 7. The circuit court shall be held in the said counties of Buffalo and Clarke, at such times as shall be appointed by the circuit judge.

Approved, July 6, 1853.

An act to submit to the people, the question of a Prohibitory Liquor Law.

Chap. 101

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. At the general election to be held on the Tuesday next succeeding the first Monday in November, A.D., 1853, at the usual places of holding elections in this State, for the election of all officers required by law then to be elected, it shall be lawful for the qualified electors

of this State, to vote for or against a prohibitory liquor law; such vote shall be by ballot, written or printed or partly written and partly printed, and shall contain the words, "prohibitory liquor law, no," or "prohibitory liquor law, yes," and the ballot so cast, shall be canvassed and returned in the same manner as the votes cast for state officers are required by law to be canvassed and returned, and the secretary of state shall immediately, on the completion of said canvass, publish a statement of the result thereof in some newspaper printed at the seat of government, and shall communicate the same to the next legislature at the commencement of its next session.

Duty of inspectors.

SEC. 2. It shall be the duty of inspectors of elections at the several election polls of this State, to provide separate boxes in which to deposite the ballots herein provided to be cast.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved, July 6, 1853.

Chap. 102

An act to change the place of holding courts in the county of Brown, and for other purposes.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. That an act entitled "an act to change the place for holding courts in the conuty of Brown," approved January 13th, 1840, also an act entitled "an act to change the place of holding courts in said county of Brown," approved February 10, 1847, are hereby repealed.

SEC. 2. That all writs, process and proceedings of said courts shall hereafter be made returnable at Depere, and be as valid as if the said courts were held at Green Bay.

SEC. 3. This act shall take effect from and after its passage.

Approved, July 11, 1843.

Chap. 103

An act to provide for the punisment of murder in the first degree, and to abolish the penalty of death.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. In all convictions under the statutes of this

State, for the crime of murder in the first degree, the penalty shall be imprisonment in the state prison, during the life of the person so convicted; and the punishment of death, for such offence, is hereby abolished.

SEC. 2. All acts and parts of acts, contravening the provisions of this act, are hereby repealed.

Approved, July 12, 1853.

An act to authorize the Secretary of State to audit certain accounts.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows: Chap. 104

SECTION 1. In all cases in which any law, or notice, has been or shall be published in a newspaper of this State, by virtue of any provision of law, authorizing any state officer to direct such publication at the expense of the State, it shall be the duty of the secretary of state to audit the account for such publication, and to draw an order upon the state treasurer therefor, specifying the account upon which such order is drawn, and the treasurer shall pay the same, in like manner as other appropriations are paid.

SEC. 2. When no other provision has been or shall be made, as to the compensation therefor, it shall be the same as is by law established for the publication of legal advertisements.

SEC. 3. This act shall take effect immediately.

Approved, July 12, 1853.

An act to amend an act providing for the organization of a separate Supreme Court.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows: Chap. 105

SECTION 1. That section four of chapter three hundred and ninety five, of session laws of 1852, be and the same is hereby so amended, that two of the justices of said court, shall constitute a quorum for the hearing and deciding of all causes, suits and proceedings at law or in equity, and transacting business in said court: *Provided, however*, In any suit or proceeding in which had of said question have acted as counsel or are otherwise disqualified, the same shall be heard and decided by the question has so disqualified.

SEC. 2. This act shall be in force from and after its passage.

Approved, July 12, 1853.

An act concerning a writ of attachment.

Chap. 106

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Claims against foreign incorporations may be enforced.

SECTION 1. Any person or persons, body or bodies corporate, having any debt, claim or demand not sounding in tort, against any foreign, once existing corporation, but which has ceased to exist or act as a body corporate, from any cause whatever, such person or persons, body or bodies, may enforce satisfaction of such debt, claim or demand, out of any moneys, credits, effects, or of property lying or being in this State, whether real or personal, or mixed, in case such moneys, credits, effects or property, would belong to such corporation, had the same not ceased to exist, or act as a body corporate, whether managed, controlled or held at the disposal of a trustee or trustees, assignee or assignees, agent or agents of or for such corporation or the creditors thereof, in whole or in part, and whether resident within or without this State, and created, constituted or appointed by such corporation or pursuant to any law of the United States, of this or any other state or country.

How to proceed &c.

SEC. 2. The owner or owners of such debt, claim or demand as aforesaid, may institute a suit for the recovery and enforcement of satisfaction thereof, by suing out of any circuit court of this State, a writ of attachment.

Which writ shall command the sheriff of the county in which the same issued, to attach the moneys, credits, effects and property, lying or being within this State, which would belong to the corporation named therein, had said corporation not ceased to exist, or act as a body corporate, however managed, controlled or held, or so much thereof as will be sufficient to satisfy the demand of the plaintiff, and the costs and charges incident to said suit; and to summon (naming the corporation) to appear and answer the plaintiffs in a plea of trespass on the case, which shall be done by leaving a copy of said writ with any person or persons so managing, controlling or holding the whole or any part of the property subject to said writ, if to be found in this State; any such person receiv-

ing a copy of said writ, shall to the action for the defendant (nominally the corporation by name) in his judiciary capacity.

SEC. 3. The writs to be issued under this act shall conform as near as may be to ordinary writs of attachment, except so far as is otherwise in this act provided.

SEC. 4. From the issuing of the writ to final judgment, and satisfaction, all the provisions of law shall apply to suits commenced under this act, so far as the sum may be consistent therewith and no further.

SEC. 5. This act shall be printed immediately after the passage thereof, and when so printed shall take effect and be in force.

Approved, July 12, 1853.

An act to provide for the appraisal of the Capitol Lands. **Chap. 107**

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. A. P. Clement, W. H. Gleason and R. F. Wilson, are hereby appointed commissioners to appraise the capitol lands, and shall proceed in the same manner in the discharge of their duties, as is prescribed in sections three, four and five, of chapter one hundred and twenty four of the session laws of eighteen hundred and fifty two; and the said appraisers shall be paid as provided for in section six of the aforesaid chapter, out of the respective funds to which said lands belong.

Approved, July 13, 1853.

An Act to establish the compensation of the Seargeant-at-arms of both Houses of the Legislature, and the persons employed in their departments. **Chap. 108**

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sergeant-at-arms of the senate and the sergeant-at-arms of the assembly, shall each be entitled to receive three dollars for every days attendance during the session of the legislature.

SEC. 2. The sergeant-at-arms of each house, shall each appoint one assistant, who shall be entitled to receive two dollars and fifty cents, for each days attendance during the session of the legislature.

SEC. 3. The presiding officer of each house of the legislature, shall each appoint two messengers, who shall each be entitled to receive one dollar and fifty cents, for every days attendance during the session.

SEC. 4. All the foregoing persons shall perform such services as may be required by the respective houses of the legislature to which they belong.

SEC. 5. A sum sufficient is hereby annually appropriated, to be paid out of the state treasury, upon the certificate of the presiding officer of the house to which the person entitled to it belongs.

SEC. 6. This act shall take effect and be in force from and after the first Monday of January, A. D., 1854.

Approved, July 13, 1853.

An Act authorizing certain [persons] elected to the office of Justice of the Peace, to qualify and take the oath of office.

Chap. 109

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

May take oath of office.

SECTION 1. In all cases where any persons has been or shall be duly and properly elected to the office of justice of the peace, but has failed to qualify by taking the oath of office and giving the security as provided, by and within the time prescribed by law, on account of necessary absence from the county wherein he was so elected, or on account of his being sick, the person so elected may qualify as such justice of the peace, at any time within six months from the time of his being so elected; in case the vacancy occasioned by a failure to qualify within the time by law prescribed therefor as aforesaid, shall not have been within such six months filled as by law provided, and that such persons shall in addition to the other requirements, at the time of his so taking the oath of office, take and subscribe an oath that he did not qualify within the time by law prescribed, for the reason that he was sick or absent from the said county, as herein before provided.

May enter upon his duties.

SEC. 2. The person who shall qualify as herein before provided, may thereupon enter upon the duties and exercise the functions of the office of justice of the peace, during the term for which he was elected, with the like force and effect as he might or could have done had he qualified as provided by law, had this act not been passed.

SEC. 3. This act shall take effect and be in force, from and after its passage.

Approved, July 13, 1853.

An Act establishing the salaries of the Chief Clerks of the Senate and Assembly. **Chap. 110**

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. There shall be allowed to the chief clerk of the senate and assembly each, an annual salary of one thousand five hundred dollars, to be paid to each of the said officers, in lieu of all compensation and perquisites, and each clerk from his salary, shall provide his own assistants and clerks, and perform all the duties usually required of all the clerks of both houses of the legislature, without any further compensation or allowance to any other person or clerk whatever. Salary.

SEC. 2. The sum of one hundred dollars shall annually be allowed to each clerk, for preparing indexes and superintending the publication of the journals and documents of the two houses, to be paid when such work is performed and approved of by the secretary of state. Indexing.

SEC. 3. Each of the said chief clerks shall, before entering upon the duties of his office, execute a bond running to the treasurer of the state of Wisconsin, in the penal sum of ten thousand dollars, with two sureties, who shall severally justify that they are worth the said sum of five thousand dollars, over and above all debts and liabilities; said bond shall be approved by the presiding officer of the senate or assembly, as the case may be, and filed in the office of the secretary of state. The conditions of such bond shall be, that the said chief clerk shall faithfully and honestly perform all the duties required by this act or any other law of this State, relating to said office, promptly and without fraud or delay. Clerks to give bonds.

SEC. 4. The salaries of the said chief clerks, shall be paid at such times and in such portions during the session, as the respective houses may direct, a resolution of which signed by the president of the senate or speaker of the assembly, as the case may be, shall be a sufficient voucher for the state treasurer to pay the same. How salaries paid.

SEC. 5. The sum of three thousand and two hundred dollars, is hereby annually appropriated, to meet the ob-

jects of this act, and the same to be paid out of the state treasury, in the manner herein before provided for, without any further legislation.

SEC. 6. This act shall take effect and be in force, from and after the second Wednesday in January next.

Approved, July 13, 1853.

Chap. 111

An Act relative to voluntary assignments of choses in action.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. That the assignee or assignees for a valuable consideration of any bond, note, or other chose in action if the assignor be dead, and there be no executor or administrators, appointed upon his or their estate, or if such executors or administrators have no interest in the things so assigned, or shall refuse to prosecute for the same, may sue and recover in his, her, or their own name or names, upon such bonds, notes and choses in action; and the defendants in all such suits, until due notice of such assignment shall have been given, may set up and avail himself of any defence he may have in any such action, in the same manner and with the like effect, as if the assignor had been living and the action had been prosecuted in his name.

Approved, July 13, 1853.

Chap. 112

An Act to authorize certain towns to aid in the construction of Rail Roads passing through them.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Supervisors may issue bonds.

SECTION 1. The respective boards of supervisors of the towns of Bloomfield, Geneva, Elkhorn, Sugar Creek and Whitewater, in the county of Walworth; and of Jefferson, Koshkonong and B(C)old Spring, in the county of Jefferson, are hereby authorized on the conditions, and for the purposes hereinafter-mentioned, to issue the bonds of their respective towns, for any sum of money not exceeding in the aggregate, the amount in each case hereinafter specified, to wit: Bloomfield, twenty five thousand dollars, Geneva, fifty thousand dollars, Elkhorn, twenty thousand dollars, Sugar Creek, thirty thousand dollars, White-

water, forty thousand dollars, B(C)old Spring, twenty thousand dollars, Jefferson, forty thousand dollars, the town of Koshkonong, sixty thousand dollars.

Bonds how payable.

SEC. 2. Such bonds shall be signed by the chairman of supervisors, and countersigned by the town clerk; shall be of the denomination of five hundred dollars, or of one thousand dollars each; shall be payable at such place as the board of supervisors issuing them, may deem advisable, and shall be payable at a time specified therein, not exceeding twenty years from the date, with interest payable annually or semi-annually, at not exceeding eight per cent per annum.

Bonds may be given in payment for stock.

SEC. 3. Such bonds may, according to the purpose for which their issue is authorized, be delivered in payment at the value expressed on their face, for shares of stock to be subscribed by the supervisors, for the benefit of the town, in the capital stock of any rail road company authorized to construct a rail road through such towns, or may be loaned to such company to be used in aid of the construction of such road.

Electors shall vote on the question of issuing such bonds.

SEC. 4. No such bonds shall be issued, until a majority of the legal voters of the town, voting upon the question, shall have voted in favor of such issue. The election for that purpose, may be called by the supervisors of the town, or be ordered to be held on the day of the annual townmeeting; but in either case, notice of the election shall be posted up in five public places in the town, and be published in a newspaper, printed in the county, for thirty days preceding such election. The notice shall specify the amount of the bonds proposed to be issued, the length of time they are to run, the rate of interest they shall bear, the rail road for which they are to be issued, and whether they are to be delivered in payment of subscription for shares of stock for the town, or to be loaned in aid of the construction of the road. At such election, those voting in favor of the proposition, shall deposite a ballot containing the words, "for the rail road," and those voting against it, shall deposite a ballot containing the words, "against the rail road." The election shall be conducted, and the votes shall be canvassed and certified in the same manner as the votes given at the annual town meeting.

Railroad company shall give security.

SEC. 5. Before the supervisors shall issue and deliver any such bonds for either of the aforesaid purposes, the rail road company shall give security to the satisfaction of

the supervisors, that the money arising from the sale of the bonds, shall be faithfully applied to the construction of such portion of the rail road as they may designate, most advantageous to their town, and that the rail road shall be completed to such point and within such time as they may deem it safe and expedient to require. And before any bonds shall be loaned to aid in the construction of any rail road, the rail road company shall in addition, execute to the town the bonds of such company, corresponding in amount, in the time when and place where payable, in the rate of interest, and in other respects with the bonds issued by the town, and shall execute to the treasurer of the town, for the benefit of the town, a mortgage to secure the payment of such bonds, upon such portion of their rail road as the supervisors may require, not less in length than one mile for each five thousand dollars of bonds so secured and conditioned, that the rail road company will pay the principal and interest as the same becomes due of the bonds so executed to the town. But the payment by such company of the principal or interest of any of the bonds so issued by the town to the holders thereof shall be deemed to be, and shall apply as payment of an equivalent amount of the bonds of such company so executed to the town or of the interest thereon. The said mortgage shall include and be a lien upon the rail road, the right of way, the fixtures and all the privileges and appurtenances belonging to it, whether already acquired or constructed at the time of the execution of such mortgage or thereafter to be acquired or constructed; but it shall only be an equal and concurrent lien, to be satisfied proportionately with any other mortgage upon such rail road for not exceeding ten thousand dollars per mile, which such company may execute whether such other mortgage shall be executed prior or subsequently to the mortgage so given to the town, such bonds and mortgage so executed to the town, shall be deposited with the town treasurer. The supervisors may order the treasurer to deliver up the said bonds or any portion of them on the surrender and cancelling of an equivalent portion of the bonds of the town so loaned.

Bonds pledged for payment of principal and interest.

SEC. 6. The shares of stock in such rail road company thus taken by any town, and all dividends arising therefrom, are hereby and shall remain irrevocably pledged for the payment of the principal and interest of the bonds delivered therefor; but the supervisors may sell the same,

if authorized so to do, by a vote of an annual town meeting of their town, and thereafter the proceeds of such sale and the interest thereof, shall be and remain irrevocably pledged to pay the principal and interest of such bonds. The supervisors shall annually or whenever it may become necessary, levy a tax upon the taxable property of the town, sufficient to pay the interest upon such bonds, after deducting the dividends due to their town, on its shares of stock.

Shares of said stock not to be affected by any lien.

SEC. 7. The shares of stock so subscribed for, and held by any such town, shall not be in any manner affected by any mortgage, lien or incumbrance given or obtained upon such rail road, and in case such rail road shall be sold or in any manner disposed of, to satisfy any such mortgage or lien, such shares of stock held by such town, shall still remain valid and unaffected, and the town shall be entitled to draw the same dividends upon such shares in whosever hands or control such rail road may be, as if no such sale or disposition had been made.

One commissioner to be appointed.

SEC. 8. The board of supervisors of each town, holding any shares of stock, shall annually, or as often as a vacancy occurs, appoint one rail road commissioner, who shall attend the annual or special meetings of the stock holders of said rail road company, and shall be entitled to cast one vote for every share of stock so held by the town, in the election of officers and all questions.

SEC. 9. This act shall be published in the Walworth County Reporter, and with the laws of a general nature, and shall thereafter be in force.

H. L. PALMER,
Speaker of the Assembly.
DUNCAN C. REED,
President pro tem. of the Senate.

Approved, July 13, 1853.
LEONARD J. FARWELL.

JOINT RESOLUTIONS.

Chap. 1.

Joint Resolutions concerning the Menominee Tribe of Indians.

Resolved by the Senate and Assembly of the State of Wisconsin, That the assent of the State of Wisconsin is hereby given to the Menominee nation of Indians to remain on the tract of land set apart for them by the President of the United States on the Wolf and Oconto rivers, and upon which they now reside, the same being within the State of Wisconsin aforesaid, and described as follows, to wit: commencing at the south-east corner of town twenty-eight north, range nineteen, running thence west thirty miles, thence north eighteen miles, thence east thirty miles, thence south eighteen miles, to the place of beginning.

Approved, February 1, 1853.

Chap. 2.

Joint Resolution relative to the Homestead Bill.

Whereas, the prosperity and well being of our State, depend upon the industry, enterprise and intelligence of its inhabitants, whether engaged in commercial, mechanical or agricultural pursuits; and whereas the rapid settlement of our government lands, and the consequent cultivation of the soil, would add to the wealth, happiness and social elevation of our people, to accomplish which purpose, it is highly desirable that every honorable inducement should be held out for the encouragement of emigration to our young and growing State; and believing that this object would be more fully secured by the passage of a law embodying the provisions of the homestead bill, which passed the House of Representatives at its last session, therefore,

Resolved, by the senate, the assembly concurring, that our Senators in Congress, are hereby requested to use all necessary exertions to secure the passage of the Homestead Bill, during the present sitting of that body.

Resolved, that his Excellency the Governor, is hereby

requested to furnish copies of the foregoing resolution, to each of our Senators in Congress.

Approved, February 5, 1853.

A Joint Resolution for the Relief of the Persons therein named.

Chap. 3.

Whereas, the following persons, to wit: Captain John McManman, John White, Andrew McCormack, Patrick Toland, Julius White, James B. Cross, did on the fifth day of February, 1849, execute unto the State of Wisconsin a bond in the penal sum of fifteen hundred dollars, for the safe keeping of arms and military equipments delivered to Captain John McManman, for the use of the Milwaukee City Guards.

And whereas, said arms and equipments, together with the clothing, furniture and fixtures of said company, have been destroyed by fire. Therefore,

Resolved, by the senate and assembly of the State of Wisconsin, That his Excellency the Governor be, and he is hereby authorized to cancel said bond.

Approved, February 18th, 1853.

Joint Resolution to authorize the Commissioners of School and University Lands, to sub-divide School Lot No. 29. in section 16, town of Fond du Lac, and to give separate Contracts for the same.

Chap. 4.

Resolved by the Senate and Assembly of the State of Wisconsin, That the commissioners of the School and University lands be, and they are hereby authorized and required, to grant a separate certificate contract of the north-east quarter of lot No. 29, section 16, town 15, range 17, in the county of Fond du Lac, to the Sylvan Grove Cemetery Association, said association producing satisfactory evidence of their right to the same from the original purchaser, or his assignees, for such sum as shall be equal to one fourth of the amount now due upon certificate contract No. 114, given for the sale of said lot, together with interest as required by law.

Approved, March 19, 1853.

Joint Resolution in relation to the Stockbridge tribe of Indians.

Chap. 5.

Resolved by the Senate and Assembly, That the State of Wisconsin hereby assents to any permission which may be

granted by the Government of the United States to the Stockbridge tribe of Indians, to remain on the lands heretofore ceded to the said United States, by said tribe, lying in the State of Wisconsin, until by treaty stipulations, the United States assign a new home to the tribe.

Approved, April 1, 1853.

Chap. 6. **Joint Resolution requiring the Commissioner of the State Prison to proceed in the erection of the Wing for the New Prison at Waupun, and to employ and use the labor of the Convicts for that purpose.**

Resolved, by the Senate, the Assembly concurring, That the State Prison Commissioner be, and is hereby required and authorized to proceed in the erection of the wing of the new prison to be built at Waupun. And, for this purpose, said commissioner is hereby authorized and required to employ the convicts in constructing and erecting said building.

The said commissioner is hereby also required to adopt, as the plan for said prison building, the design and plan of the Albany Penitentiary, in the State of New York, as recommended by Henry Brown, late State Prison Commissioner of this State. *Provided*, That no debt or demand against the State shall accrue in virtue of this resolution.

H. L. PALMER,
Speaker of the Assembly.
DUNCAN C. REED,
President pro. tem. of the Senate.

Approved, April 2, 1853.
LEONARD J. FARWELL.

MEMORIALS.

Memorial to Congress for a Mail Route.

To the Hon. the Senate and House of Representatives of the United States of America: Chap. 1.

The Memorial of the Senate and Assembly of the State of Wisconsin, respectfully represents:

That the interest and convenience of a large portion of the citizens of Dane and Rock counties, would be greatly promoted by the establishing of a tri-weekly mail route from Madison, in Dane county, by way of Stoughton, to Milton, in Rock county, a distance of thirty-five miles.

Your memorialists, therefore, ask that said mail route may be established at the earliest practicable period.

Approved, February 7, 1853.

Memorial to the Post Office Department, relative to increase of Mail service, on Mail Route, No. 4575. Chap. 2.

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

That the service on mail route, No. 4575, known as the Beloit and Mineral Point mail route, is limited to once each week; that the rapid settlement of that section of our State renders it a matter of importance, that service on said route should be increased to three times each week; and your memorialists would, therefore, respectfully ask, that said service be so increased.

Approved, February 4, 1853.

Memorial to Congress for a Mail Route. Chap. 3.

To the Hon. the Senate and House of Representatives of the United States in Congress assembled:

The Memorial of the Legislature of the State of Wisconsin, respectfully represents:

That the interest and convenience of a large number of the citizens of the counties of Walworth, Waukesha and Jefferson, would be greatly enhanced by the establishment of a tri-weekly mail route from Elk Horn, (the county seat of Walworth county,) *via* Palmyra to Jefferson, (the county seat of Jefferson county,) a distance of about forty miles.

Your memorialists would represent, that the establishment of said mail route would be of the greatest importance to the people residing in that portion of the state, most of whom are now nearly destitute of mail facilities, or supplied in a very imperfect manner, having no direct communication with any of the large daily mail routes in the state.

Your memorialists would, therefore, respectfully ask that the aforesaid mail route may be established at the earliest practicable period.

Approved, February 11, 1853.

Memorial to the Post Master General for increase of service, on Mail Route, No. 4616.

Chap. 4.

To the Honorable the Post Master General of the United States:

The Memorial of the Legislature of the State of Wisconsin respectfully represent:

That the interest and convenience of a large number of the citizens of the Counties of Sheboygan, Calumet and Winnebago would be greatly enhanced by the establishment of a tri-weekly mail, on mail route, No. 4616, between Menasha and Sheboygan.

Your memorialists would represent that an increase of service, on said mail route, would be of the greatest importance to the inhabitants residing in that portion of the State—the present weekly mail being entirely inadequate to the wants and convenience of that community.

Your memorialists, therefore, respectfully ask, that the aforesaid increase of service may be established, at the earliest practicable period.

Approved, February 16, 1853.

Memorial to the Post Master General for increase of Mail Service on Route No. 4565. Chap. 5.

To the Hon. the Post Master General of the United States:

The Memorial of the Legislature of the State of Wisconsin, respectfully represents:

That during the season when navigation is closed on the Upper Mississippi river, the entire mail for the territory of Minnesota, North-western Wisconsin, a large portion of Northern Iowa, passes over mail route No. 4565, from Platteville to Prairie du Chien, in Wisconsin, on which route, at this time, there is but a tri-weekly mail. That upon this route about thirty thousand people are dependent for their mail; and in view of the urgent demand for an increase of service thereon, your memorialists would respectfully but earnestly ask that a daily mail service may be granted on the aforesaid route, as a matter of great importance to the section of country interested.

Approved, March 19, 1853.

Memorial to the Post Office Department relative to increase of service, on Mail Route, No. 4529. Chap. 6.

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

That the service on mail route, No. 4529, known as the Fond du Lac and Port Washington mail route, is limited to once each week, and the large number of inhabitants, on said mail route, renders it a matter of importance that service on said route should be increased to twice in each week.

And your memorialists would, therefore, respectfully ask that said service may be increased.

Approved, March 19, 1853.

Memorial to Congress for an additional Appropriation to aid in the Improvement of a Harbor at Manitowoc. Chap. 7.

To the Honorable the Senate and House of Representatives of the United States:

The Memorial of the State of Wisconsin respectfully represents:

That the village of Manitowoc is situate upon the west

shore of Lake Michigan, at the entrance of the Manitowoc river into said lake, nearly midway between the Manitou Islands and the north-east, Bailey's harbor on the north, and the city of Milwaukee on the south, about one hundred miles distant from any of the three points above named, between which points there is no harbor or place of shelter for the numerous boats and vessels navigating said lake, completed, on which the commerce is already large, and annually rapidly increasing. That during the season of navigation, great loss of life and property occurs on said lake, between the points aforesaid, much of which might be prevented by constructing a harbor at Manitowoc, at which point it is believed a harbor can be built at less expense than at any any other point on the west shore of said lake; that the appropriation of eight thousand dollars already made by congress for this point is barely sufficient to make a respectable beginning of a work of national importance, and well deserving the aid of the Government of the United States, and that should an additional appropriation of fifteen thousand dollars be made, and the aggregate amount be judiciously expended, it would, in the opinion of your memorialists, be sufficient to complete a safe and capacious harbor, easy of access, at the point aforesaid.

And your memorialists respectfully, but *earnestly*, ask of your honorable body to make the desired appropriation at an early day.

Approved, March 22, 1853.

Chap. 8. Memorial to Congress for a Mail Route, from Mishcot to Francis' Creek, in the County of Manitowoc.

To the Honorable the Senate and House of Representatives of the United States:

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

That changing the mail route between Manitowoc and Green Bay, from Francis' Creek, and establishing the same by way of Two Rivers and Mishcot, and the discontinuance of the Post Office at Francis' Creek, has left a large and thickly settled agricultural region of country, nearly destitute of all mail facilities.

Your memorialists, therefore, respectfully, and earnestly request, that a mail route may be established from Mishcot to Francis' Creek, at an early day.

Approved, March 22, 1853.

A Memorial for the establishment of Mail service, on Mail Route, No. 7033. Chap. 9.

To the Honorable, the Post Master General of the United States:

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

That the interest and convenience of a densely populated, and large portion of country, are concerned in the establishment of mail service, on mail route, No. 7033, which lies between the villages of Watertown, in the county of Jefferson, and Fort Winnebago, in the county of Columbia.

Your memorialists, therefore, respectfully ask, that the mail route above referred to, may be immediately advertised for letting, and daily mail service established thereon.

Approved, March 22, 1853.

A Memorial for the establishment of Mail service on Mail route No. 4584. Chap. 10.

To the Honorable the Post Master General of the United States:

The Memorial of the Legislature of the State of Wisconsin, respectfully represents:

That the interest and convenience of a densely populated and large portion of country are concerned in the establishment of mail service on mail route No. 4584, which lies between the village of Columbus, in the county of Columbia, and Marquette, in the county of Marquette.

Your memorialists, therefore, respectfully ask, that the mail route above referred to, may be immediately advertised for letting, and tri-weekly mail service established thereon.

Approved, March 22, 1853.

Memorial to the Post Master General for an increase of Mail service on Mail route No. 4545. Chap. 11.

To the Honorable the Post Master General of the United States:

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

That the interest and convenience of the citizens of a densely populated and large portion of country are concerned in the establishment of increased mail service on

mail route No. 4545, which lies between the villages of Fox Lake, in the county of Dodge, and Fort Winnebago, in the county of Columbia.

Your memorialists, therefore, respectfully ask, that tri-weekly mail service may be established on the mail route above referred to.

Approved, March 22, 1853.

Chap. 12.

Memorial to the Post Master General, to establish a tri-weekly Mail from Madison, in the County of Dane, by way of Prairie du Sac, to Baraboo, in the County of Sauk.

To the Honorable Postmaster General of the United States:

The Memorial of the Legislature of the State of Wisconsin respectfully represent:

That the interests and convenience of the citizens of a thickly populated portion of country, are concerned in the establishment of a tri-weekly mail, from Madison, in the county of Dane, by way of Prairie du Sac, to Baraboo, in the county of Sauk, Wisconsin.

Your memorialists, therefore, respectfully ask, that the said mail service be established, at the earliest period.

Approved, March 22, 1853.

Chap. 13.

Memorial to the P. M. General for increase of Mail service on a certain Mail route.

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

That the present mail facilities on the route from Madison *via* Montello to Waupaca Falls, are entirely inadequate to the wants and necessities of a densely populated portion of the country, and that it is of the utmost importance to the citizens of the large town of Montello, and the people north of that place, that such mail service should, at least, be increased to a tri-weekly mail, and that it is believed that if the same were established, it would cause no additional expense to the department.

Approved, March 31, 1853.

A Memorial for the establishment of a daily Mail service on Mail route No. 4567, from the village of Beetown, in this state, to the city of Galena, in the state of Illinois, via Potosi, Dickeyville, Jamestown and Fairplay. Chap. 14.

To the Honorable the Post Master General:

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

That the present mail service between the village of Beetown, in this state, and the city of Galena in the state of Illinois, is altogether inadequate to the necessities of the business public, passing as it does through a densely populated portion of the country, and between points, whose business connections are already of great importance, and constantly increasing.

Your memorialists, therefore, respectfully ask, that the mail service above referred to, may be immediately advertised for letting, and daily mail service established thereon.

Approved, March 31, 1853.

A Memorial to the Post Master General of the United States, for Mail service, on Route, 7071. Chap. 15.

The people of the State of Wisconsin, represented in Senate and Assembly:

The Memorial of the Legislature of the State of Wisconsin respectfully represent:

That it would materially benefit the rapidly increasing population of Manitowoc and Calumet counties, by placing mail service on that portion of mail route 7071, from Manitowoc to Menasha.

Your memorialists would, therefore, urge the necessity of placing mail service on said route.

Approved, March 31, 1853.

A Memorial to Congress for the establishment of a Mail route. Chap. 16.

To the Honorable the Senate and House of Representatives of the United States in Congress assembled:

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

That the interest and convenience of a large number of citizens require the establishment of a new mail route from Montello, in Marquette county, via Roslin P. O., Moundville P. O., Beaver Creek P. O., to Portage city,

in Columbia county, and that the service of such mail route be semi-weekly.

Approved, March 31, 1853.

Memorial to Congress for a Mail route, from the village of Shullsburg, in Lafayette county, to the city of Dubuque, in the State of Iowa.

Chap. 17.

To the Honorable the Senate and House of Representatives of the United States:

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

That the interest and convenience of a large portion of the citizens of Lafayette and Grant counties would be greatly enhanced by the establishment of a tri-weekly mail route from the village of Shullsburg, in the county of Lafayette, by the way of the villages of New Diggings, Benton, Hazel Green, and Fairplay, to the city of Dubuque, in the state of Iowa, a distance of forty miles.

Your memorialists would represent that the establishment of said mail route would be of great importance to the people residing in that portion of the state, and are of the opinion, that the proposed route, if established, would be a source of revenue to the department.

Your memorialists would, therefore, respectfully ask, that the aforesaid mail route may be established at the earliest practicable period.

Approved, April 2, 1853.

Memorial for a tri-weekly Mail from Janesville to Albany, in the county of Green.

Chap. 18.

To the Honorable the Senate and House of Representatives of the United States, in Congress assembled:

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

That the interest and convenience of a large portion of the counties of Rock and Green, are concerned in the establishment of a tri-weekly mail service on that portion of mail route, No. 4572, which lies between the village of Janesville, in the county of Rock, and Albany, in the county of Green.

Your memorialists, therefore, respectfully ask that the aforesaid mail service may be placed upon said mail route as aforesaid, at the earliest practicable period.

Approved, April 2, 1853.

A Memorial remonstrating against the discontinuance of daily Mail service on the Mail routes therein named. Chap. 19.

To the Honorable the Post Master General of the United States:

The Remonstrance of the Legislature of the State of Wisconsin respectfully represents:

That the interests and convenience of a densely populated and large portion of country, are deeply concerned in the continuance of daily service on the mail routes lying between Racine and Janesville, and the one lying between Kenosha and Beloit, in the state of Wisconsin, that several large and important villages are situated on said mail routes, which are entirely dependent on them for mail service, that said villages are largely engaged in manufactures and other business pursuits, which will be seriously injured by a withdrawal from them of the daily mail service which they have enjoyed for several years past.

Your memorialists, therefore, respectfully ask, that daily mail service may be contnued on said routes, and that the same may not be reduced to a tri-weekly mail.

Approved, April 2, 1853.

Chap. 20.

Memorial to Congress for an appropriation to pay the expenses of the Territorial Legislature, for the sessions of 5th Dec. 1842, and 30th Jan'y, 1843.

The Memorial of the Legislature of the State of Wisconsin respectfully sheweth:

That certificates for six days' attendance and mileage, were issued to the members of the Legislative Assembly of said Territory, for the session commencing on the fifth December, A. D. 1842, and for eight days' attendance and mileage, for the session commencing on the 30th January, A. D., 1843, which have not been paid by the said Territory or State of Wisconsin, and that said services were performed by the members of said Territorial Legislature in good faith, and in pursuance of a law of said Territory, and the same is a just claim against the United States.

Your memorialists, therefore, respectfully pray that an appropriation be made by your honorable bodies, to pay said certificates. And your memorialists will ever pray.

Approved, April 2, 1853.

Chap. 21. **Memorial to Congress to pay a certain claim for arresting and keeping a certain United States' Prisoner.**

To the Honorable the Senate and House of Representatives in Congress assembled:

The Memorial of the State of Wisconsin respectfully represents:

That in the month of September, 1849, one Elijah K. Jenner was convicted of counterfeiting United States coin, in the U. S. District Court of this state, and sentenced to states prison for ten years, and that in accordance with such sentence, he was confined in the jail of Waukesha county, (there being no states prison,) when he remained in the keeping of Alexander F. Pratt, sheriff of said county, for the space of three months, when he broke jail and made his escape; that said Jenner was pursued by said sheriff, and finally captured; that said Jenner after remaining in said jail two months and twenty days, again made his escape; and that said sheriff has never received any compensation for keeping or pursuing said prisoner.

Your memorialist, therefore, respectfully asks, the sum of five hundred and thirty dollars be allowed to said Pratt, for his expenses for pursuing and for keeping said prisoner, believing that amount to be justly due him, for the reasons aforesaid.

Approved, April 2, 1853.

Chap. 22. **Memorial to the Post Master General for a mail route, from Richland City, to Warner's Landing.**

To the Honorable Post Master General:

The Memorial of the Legislature of the State of Wisconsin respectfully represent:

That the interest and convenience of a large majority of the citizens of Richland and Bad Ax counties, are interested in the establishment of a mail route, from Richland City, in Richland county *via* Richmond, Viroqua, Springville to Warner's landing, in Bad Ax county.

Your memorialists further state that it would be a great benefit to the people residing in that district of our State, many of whom are now destitute of mail facilities, and your memorialists are of the opinion that the establishment of the proposed mail route would be a source of revenue to the department, affording mail facilities to a portion of the State rapidly filling up with enterprising settlers.

Approved, April 2, 1853.

A Memorial for the increase of Mail service on Mail route No. 4551. Chap. 23.

To the Honorable the Post Master General of the United States:

The Memorial of the Legislature of the State of Wisconsin:

That the interest and convenience of a densely populated portion of country are concerned in the establishment of increased mail service on mail route No. 4551. From Janesville, Rock county, passing through Fulton, Cooksville, Dunkirk, Stoughton and Lake View, to Madison.

Your memorialists, therefore, respectfully ask, that the service on the mail route above referred to, may be increased to a tri-weekly mail.

Approved, April 2, 1853.

Memorial to the Post Master General, for the establising of Mail service, on Route, No. 5650. Chap. 24.

To the Honorable the Post Master General of the United States:

The Memorial of the Legislature of the State of Wisconsin represents:

That the interests and convenience of the citizens of a densely populated, and large portion of country, are concerned in the establishment of mail service, on route No. 5650, which lies between the villages of Columbus, in the county of Columbia, and Theresa, in the county of Dodge.

Your memorialists, therefore, respectfully ask, that said mail route above referred to may be immediately advertised for letting, and mail service established thereon.

H. L. PALMER,
Speaker of the Assembly.
DUNCAN C. REED,
President pro. tem. of the Senate.

Approved, April 2, 1853.
LEONARD J. FARWELL.

APPROPRIATIONS.

Date of Approval.	To whom and for what appropriated.	Amount.
1853.		
Feb. 1,	Mileage of Members of Legislature - -	$1982 40
7,	do. do. do. - -	25 20
7,	$75 to each member of legislature, on account of per diem - - - - -	8025 00
7,	Timothy Burns - - - - -	125 00
7,	Henry L. Palmer - - - - -	125 00
7,	Jno. K. Williams, on account of self and assist. -	550 00
7,	Thos. McHugh, do. do. do. -	550 00
7,	Thomas Hood, part pay of officers - -	400 00
7,	Richard F. Wilson, do. do. - -	400 00
7,	E. B. Quiner, advertising - - -	28 00
10,	Emory Healy, keeping state prisoners - -	33 38
10,	Donaldson & Tredway, boxes, ink, &c. - -	27 25
16,	E. Schumaker, pad-lock, - - -	8 00
18,	Beriah Brown, printing - - -	502 60
18,	Beriah & John A. Brown, printing - -	21 25
18,	David McKee, do. - - -	28 00
19,	Albert C. Ingham, binding Agricul. Transactions	540 00
23,	H. H. Brennan, state prisoners - - -	105 00
23,	Curtis Beach, do. - - - -	34 75
28,	S. H. Martin, erecting gallows - - -	82 00
28,	Alfred Main, services as Sheriff - - -	102 00
28,	C. L. Claussen, newspapers - - -	45 24
28,	A. F. Spofford, cushions - - - -	27 00
28,	M. T. Zander, coffins - - - -	2 00
28,	H. N. Davis, medicine for state prisoners -	3 75
28,	George Memhard, painting and papering -	70 00
28,	N. S. Emmons, water tub - - -	10 00
28,	C. S. Abbott, lumber - - - -	207 13
Mar. 3,	J. F. Birchard, furniture - - - -	301 00
4,	J. C. Fairchild, sundries furnished Capitol -	26 81
4,	Wright & Tenney, camphene, &c. - -	48 47
4,	Turton & Sercomb, columns - - -	79 80

Date of Approval.	To whom and for what appropriated.	Amount
Mar. 4,	$75 to each member of legislature, on account of per diem - - - - - -	8025 00
4,	Timothy Burns, per diem - - -	175 00
4,	Chief Clerk Senate, on account of salaries of clerks	830 00
4,	do. Assembly, do. do. do.	830 00
4,	Serg't-at-arms do. do. do. do.	800 00
4,	do. Senate, do. do. do.	950 00
4,	Henry L. Palmer, per diem - - -	100 00
4,	Chief Clerk Senate, extra clerk hire - -	100 00
4,	do. Assembly, do. - -	100 00
7,	Chas. M. Reeser, 1500 copies of "Emigranten,"	150 00
10,	David Van Alstine, surveying state road -	232 00
10,	Solmon Soule, do. do. - -	70 50
10,	James Halpin, services of self and assist. -	60 00
10,	Rood & Whittemore, book binding and stationery	801 88
10,	Sylvander Patridge, conveyance and execution of state prisoners - - - - - -	400 55
10,	Deming Fitch, furniture - - - -	383 00
10,	Alexander Mitchell, territorial scrip - -	160 00
14,	Tibbitts & Gordon, merch. and building materials	1920 85
14,	David Holt, stationery - - - -	195 26
14,	D. K. Tenny, comparing proof of laws 1852 -	70 00
14,	William E. Cramer, newspapers - -	22 17
14,	George R. Stuntz, state prisoners - -	79 35
14,	State Superintendent, travelling expenses, annually,	600 00
17,	G. W. Babcock, clothing state prisoners - -	17 90
17,	Holt & Brown, stationery - - -	32 50
17,	John A. Brown, travelling expenses - -	11 00
17,	R. Dunlap, medicine for state prisoners -	5 75
19,	James Halpin, stationery, wood, labor, &c -	647 66
22,	Matthias Martin, night watch - - -	365 00
22,	Campbell, Brush & Co., carpenter work -	223 85
22,	Charles Frissell, coat for state prisoner -	6 00
22,	Samuel W. Beall, clerk's fees - - -	51 99
22,	D. Appleton & Co., books for superinten. office	86 00
22,	Morris Catlin, do. do. -	18 38
22,	Wm. C. Ticknor & Co., do. do. -	80 43
22,	O. G. Steele, books and stationery - -	60 00
23,	Charles T. Wakeley, printing - - -	3919 42
25,	A. V. Fryer, services - - - -	350 00
25,	Weed & Eberhard, binding and stationery -	226 95
25,	A. T. Gray, chief clerk - - - -	20 00
25,	D. N. Johnson, assistant clerk - - -	10 00
26,	Tibbits & Gordon, stationery for legislature -	2227 94

Date of Approval.	To whom and for what appropriated.	Amount.
Mar. 29,	Chauncey Abbott, postage	3292 20
29,	Compiling documentary history	400 00
29,	B. F. Adams, mileage and per diem, while contesting seat	114 70
29,	Postmaster Madison, postage state officers	600 00
31,	Emigrant Agent, one year's salary	1500 00
31,	do. expenses of office	2300 00
31,	Alexander G. McBride, wood	220 00
31,	John McBride, do.	437 50
31,	W. H. Foote & Brother, carriage	54 75
31,	M. L. Sayles, boarding state prisonors	20 00
31,	Hazel Green Deaf and Dumb Asylum,	250 00
April 1,	John W. Hunt, maps	50 00
2,	S. A. Talmadge, re-payment of taxes	17 55
2,	Balance of per diem of members of the legislature, $57 50, each	6152 50
2,	Lt. Governor, per diem	115 00
2,	President pro tem. of senate, per diem	207 50
2,	Speaker of the assembly, do.	57 50
2,	Chief Clerk of Senate, salary of clerks	745 00
2,	do. Assembly, do. do.	745 00
2,	Sergeant-at-arms senate, salary of officers	434 50
2,	do. assembly, do. do.	418 50
2,	Chief Clerk of senate, balance for clerks	196 00
2,	do. assembly, do. do.	196 00
2,	Fratney & Herzberg, print. 1000 copies gov. mess	100 00
2,	James Halpin, services as super't. of pub. prop.	332 00
2.	Delancy Thayer, do. assistant librarian	207 50
2,	Matthias Martin, do. about capitol	207 50
2,	Ernest Wilhelm, do. do.	207 50
2,	Patrick Gilluly, do. do.	207 50
2,	Jno. A. Brown, services in impeachment case	150 00
2,	David Atwood, Beriah Brown, S. D. Carpenter, assignees of C. C. Sholes, printing,	12229 82
2,	Geo. Burnside, printing gov. message in Welsh	40 00
2,	Edward H. Janssen, services under banking law	500 00
2,	Darwin Clark, furuiture for capitol,	102 38
2,	Shœffler & Wendte, printing in German 1000 copies governor's message, 1500 copies secretary of state, and superintendent's report	250 00
2,	C. S. Abbott, lumber for capitol	51 80
2,	Fratney & Herzberg, printing amendment to constitution	16 00
2,	Wis. Inst. for the education of the deaf and dumb, support of said institute	1500 0

Date of Approval.	To whom and for what appropriated.	Amount.
April 2,	A. T. Gray, services board of equalization -	25 00
2,	do. do. in impeachment case -	50 00
2.	Wis. Institute for the education of the blind, support of said institute for year commencing Oct. 1, 1853, - . . . - -	2500 00
2,	J. Quintus, printing governor's message in Holland language - - - - -	50 00
2,	Benjamin F. Hopkins, telegraphing -	59 81
2,	J. White, boarding and conveying state prisoners	292 27
2,	James S. Baker, bank comptroller - -	300 00
2,	John A. Carswell, state prisoners - -	57 50
2,	Com. of State Prison, expenses of same - -	10,000 00
2,	V. Kohlmann & Co., 500 copies governor's mess., in German language - - - -	50 00
2,	Schœffler & Wendt, printing and publishing	74 38
2,	Chief Clerk assembly and senate, to pay chaplains	332 00
2,	A. Earll, boxes furnished state - - -	9 75
2,	A. F. Cady, account from state prison - -	125 05
2,	N. S. Newton, do. do. - -	8 00
2,	James H. Knowlton, services in supreme court	100 00
2,	Shaw & Hyer, publishing - - -	47 50
2,	Charles M. Reesser, printing - - -	30 00
2,	O. J. Hattestad, do. - - -	70 00
2,	Weed & Eberhard, books and stationery -	445 35
2,	Governor of this State, expenses of state prison	3000 00
2,	A. Marsohner, 500 copies "Wis. Republicana,"	50 00
2,	Thomas McHugh, services as clerk electoral college, 1852 - - - - -	15 00
2,	The Governor, contingent fund - - -	5000 00
2,	James Halpin, stationery for next legislature -	2000 00
2,	Thomas McHugh, services to school commissioner	400 00
2,	E. C. Hull, special messenger - - -	16 00
2,	James L. Manville, conveying prisoners -	58 28
2,	S. D. Carpenter, messenger - - -	22 00
2,	Wm. S. Hascall, in full of account -	78 50
2,	James K. Smith, int. on state prison certificate -	72 94
2,	Chief Clerk senate, additional clerk hire -	100 00
2,	do. assembly, do. - -	100 00
2,	D. Casey, serving subpœnas - - -	10 75
2,	A. Whittemore & Co., stationery, - -	82 00
2,	Robinson & Brother, printing - - -	26 25
2,	Governor, to pay sundry accounts - -	2892 75
2,	John Fitzgerald, commissioners clerk - -	200 00
2,	Tibbits & Gordon, goods - - -	20 51

Date of Approval.	To whom and for what appropriated.	Amount.
April 2,	Jacob Quintus, 1000 governor's message - -	100 00
2,	John E. Holmes, expenses contesting seat -	40 00
2,	State Agricultural Society, - - -	1000 00
2,	C. G. Mayers, clerk to commissioners - -	56 00
June 22,	James Halpin, services in superintending the preparation of senate chamber - - -	238 00
22,	G. R. McLane, Com. to inspect improvement -	125 00
22,	N. M. Donaldson, do. do. do. -	125 00
22,	O. Reed, do. do. do. -	125 00
22,	H. D. York, do. do. do. -	125 00
22,	J. T. Lewis, do. do. do. -	125 00
July 12,	J. K. Williams, services as chief clerk senate -	500 00
12,	do. preparing court journal -	150 00
12,	Geo. H. Paul, services as assistant clerk -	190 00
12,	R. P. Clement, writing done in the senate -	133 00
12,	Thomas Hood, per diem - - -	400 00
12,	do. services for self, and others employed by him, in serving subpœnas for and on account of impeachment case - -	483 80
12,	Thomas Hood, J. L. Sweeny, A. Manning and J. Richardson, his assistants - - -	127 00
12,	J. L. Sweeny, per diem as assist. sergeant-at-arms	222 00
12,	do. travelling exp. in serving subpœnas	85 00
12,	L. L. Smith, per diem as door-keeper senate -	95 00
12,	A. Manning, do. assist. do. do. -	60 00
12,	Becker, messenger of do. -	95 00
12,	Chas. Wheeler, do. do. -	95 00
12,	Thomas McHugh, chief clerk assembly -	290 00
12,	do. extra clerk hire - -	50 00
12,	David McKee, assistant clerk of assembly -	190 00
12,	S. D. Powers, writing for the assembly -	140 00
12,	A. B. Braley, do. do. - -	140 00
12,	J. T. Wilson, do. do. - -	140 00
12,	Richard F. Wilson, sergeant-at-arms assembly -	157 00
12,	W. H. Gleason, assist. do. do. -	95 00
12,	Steph. McHugh, do. do. do. -	95 00
12,	John Ballard, messenger do. -	95 00
12,	Michael Ames, do. do. -	95 00
12,	Delancey Thayer, assistant librarian -	95 00
12,	Patrick Gilluly, services - - -	37 50
12,	Postmaster Madison, postage to June 30 -	312 51
12,	Jas. Campbell, boxes - - - -	13 50
12,	John Fitzgerald, services in secretary's office -	200 00
12,	James Halpin, general services - -	144 00

Date of Approval.	To whom and for what appropriated.	Amount.
July 12,	M. Martin, porter - - - -	90 00
12,	N. M. Donaldson, expenses to Waupun -	10 00
12,	Weed & Eberhard, books and stationery -	142 14
12,	Shœffler & Wendt, 250 copies mining and smelting report - - - - -	25 00
12,	J. W. Hunt, 3 days asst. clerk of assembly -	15 00
12,	do. services com. of senate - -	10 00
12,	Holt & Brown, stationery - - -	28 50
12,	Chief Clerk senate and assembly, to pay chaplains,	100 00
12,	A. Whittemore & Co., stationery for legislature -	1472 53
12,	J. Slightam, ice do. -	71 25
22,	John Wright, knives do. -	62 50
12,	Beriah Brown, report of trial - - -	250 00
12,	Campbell, Brush & Co., carpenter work -	41 37
12,	D. Holt, stationery - - - -	211 42
12,	Charles Foote, carriage - - - -	77 78
12,	James Halpin, expenses to Milwaukee -	12 00
12,	A. M. Pett & Co., camphene - - -	94 94
12,	Chief Clerk senate, extra enrolling - -	75 00
12,	do. assembly, do. - -	75 00
12,	Lyman Cowdery, writing for senate - -	15 00
13,	John Taylor, state prison disbursements -	250 00
13,	Timothy O. Howe, holding court in Mil. county -	225 00
13,	G. J. Fowler, witness fees - -	33 20
13,	Samuel G. Knight, do. - -	23 45
13,	Amos Sawyer, do. - -	19 20
13,	Winfield Smith, do. - -	71 60
13,	Francis Randall, do. - -	48 40
13,	Ephraim Mariner, do. - -	68 40
13,	W. H. Besley, do. - -	32 05
13,	Arthur McArthur, do. - -	62 40
13,	Albert Smith, do. - -	42 40
13,	Robert Wier, do. - -	30 00
13,	Calvert C. White, do. - -	110 22
13,	George P. Thompson, do. - -	47 84
13,	Alexander Cook, do. - -	55 60
13,	William Dutcher, do. - -	15 60
13,	Peter Rogan, do. - -	51 60
13,	E. Hubbard, do. - -	72 60
13,	R. B. Rice, do. - -	17 20
13,	James P. Greves, do. - -	60 40
13,	Lafayette Kellogg, do. - -	10 00
13,	Asahel Finch, do. - -	84 00
13,	William Clark, do. - -	16 00

Date of Approval.	To whom and for what appropriated.	Amount
July 13,	Russel Wheeler, witness fees - -	45 20
13,	Jonathan Taylor, do. - -	79 60
13,	Jason Downer, do. - -	41 20
13,	William A. Barstow, do. - -	93 60
13,	William Sanderson, do. - -	50 40
13,	Robert W. Wright, do. - -	42 80
13,	A. F. Pratt, do. - -	44 80
13,	Henry K. White, do. - -	46 00
13,	George Cogswell, do. - -	77 60
13,	William H. Thomas, do. - -	31 64
13,	Hiram J. Ross, do. - -	18 00
13,	Mary A. Howe, do. - -	25 00
13,	John Crawford, do. - -	18 68
13,	James H. Paine, do. - -	19 20
13,	William S. Hascall, do. - -	18 80
13,	William S. Hawkins, do. - -	18 80
13,	A. W. Randall, do. - -	16 80
13,	H. D. Barron, do. - -	45 60
13,	George H. Walker, do. - -	33 20
13,	John Hart, do. - -	34 40
13,	H. N. Davis, do. - -	42 80
13,	Lafayette Towsley, do. - -	29 30
13,	Leander Wyman, do. - -	19 20
13,	Walter S. Everett, do. - -	18 20
13,	J. H. do. - -	41 20
13,	William H. Pettit, do. - -	90 72
13,	E. V. Whiton, do. - -	22 80
13,	Isaac Woodle, do. - -	45 80
13,	A. Hyatt Smith, do. - -	29 10
13,	Matthew Keenan, mileage and per diem -	67 20
13,	do. transcripts & copies of records	239 00
13,	George B. Smith, witness fees, - -	40 24
13,	William W. Brown, do. - -	40 00
13,	Levi B. Vilas, do. - -	26 24
13.	J. Gillett Knapp, do. - -	18 00
13,	David Atwood, do. - -	4 24
13,	William N. Seymour, do. - -	8 12
13,	William K. Wilson, do. - -	68 20
13,	do. trav. exp., employed by com.	21 20
13,	Alexander L. Collins, witness fees, - -	56 00
13,	Charles Lum, do. - -	42 50
13,	H. A. Tenney, do. - -	4 00
13,	H. S. Orton, do. - -	52 00
13,	Charles K. Watkins, do. - -	29 20

Date of Approval	To whom and for what appropriated.	Amount.
July 13,	A. S. Wood, witness fees, - - -	6 00
13,	B. F. Hopkins, telegraphing, - - -	234 59
	Total amount appropriated, - -	$116,738 21

STATE OF WISCONSIN, } ss.
SECRETARY'S OFFICE,.

I, CHARLES D. ROBINSON, Secretary of State of said State, hereby certify, that the Laws, Joint Resolutions, Memorials and Appropriations, published in this book, have been compared with the original enrolled acts deposited in this office, and that they appear to be correctly printed.

In Testimony Whereof, I have hereunto set my hand and L. S. affixed the great seal of the State, at the Capitol in Madison, this 28th day of July, A. D. 1853.

CHARLES D. ROBINSON,
Secretary of State.

DATE OF PUBLICATION OF GENERAL LAWS.

Chap.	1.	Pub.	Febr. 2,	1853.	Chap. 32.	Pub.	April 6, 1853.
"	2.		Febr. 12,	"	" 33.		Mar. 17, "
"	3.		Febr. 12,	"	" 34.		Mar. 22, "
"	4.		Febr. 10,	"	" 35.		Mar. 26, "
"	5.		Febr. 12,	"	" 36.		Mar. 22, "
"	6.		Febr. 22,	"	" 37.		Mar. 23, "
"	7.		Febr. 22,	"	" 38.		Mar. 23, "
"	8.		Febr. 22,	"	" 39.		Mar. 21, "
"	9.		Febr. 22,	"	" 40.		Mar. 30, "
"	10.		Febr. 22,	"	" 41.		Mar. 30, "
"	11.		Mar. 5,	"	" 42.		April 5, "
"	12.		Mar. 14,	"	" 43.		Mar. 28, "
"	13.		Mar. 5,	"	" 44.		Mar. 29, "
"	14.		April 26,	"	" 45.		Mar. 28, "
"	15.		April 24,	"	" 46.		April 6, "
"	16.		Mar. 5,	"	" 47.		April 5, "
"	17.		Mar. 30,	"	" 48.		April 5, "
"	18.		Mar. 14,	"	" 49.		April 4, "
"	19.		Mar. 14,	"	" 50.		April 5, "
"	20.		Mar. 24,	"	" 51.		April 6, "
"	21.		Mar. 8,	"	" 52.		Mar. 31, "
"	22.		Mar. 26,	"	" 53.		April 20, "
"	23.		Mar. 16,	"	" 54.		April 19, "
"	24.		Mar. 17,	"	" 55.		April 12, "
"	25.		April 6,	"	" 56.		April 11, "
"	26.		Mar. 17,	"	" 57.		April 18, "
"	27.		Mar. 17,	"	" 58.		April 11, "
"	28.		Mar. 18,	"	" 59.		April 8, "
"	29.		Mar. 25,	"	" 60.		Mar. 14, "
"	30.		Mar. 18,	"	" 61.		April 14, "
"	31.		Mar. 16,	"	" 62.		April 13, "

Chap.	63.	Pub. April 12, 1853.	Chap.	88.	Pub. April 19, 1853.
"	64.	April 11, "	"	89.	April 12, "
"	65.	April 15, "	"	90.	April 16, "
"	66.	April 8, "	"	91.	April 12, "
"	67.	April 8, "	"	92.	April 12, "
"	68.	April 15, "	"	93.	April 11, "
"	69.	April 9, "	"	94.	June 11, "
"	70.	April 7, "	"	95.	June 11, "
"	71.	April 9, "	"	96.	June 11, "
"	72.	April 11, "	"	97.	July 16, "
"	73.	April 12, "	"	98.	July 15, "
"	74.	April 12, "	"	99.	July 18, "
"	75.	April 19, "	"	100.	July 16, "
"	76.	April 12, "	"	101.	July 16, "
"	77.	April 14, "	"	102.	July 16, "
"	78.	April 26, "	"	103.	July 20, "
"	79.	April 14, "	"	104.	July 20, "
"	80.	April 26, "	"	105.	July 21, "
"	81.	April 11, "	"	106.	July 21, "
"	82.	April 12, "	"	107.	July 20, "
"	83.	April 11, "	"	108.	July 16, "
"	84.	April 11, "	"	109.	July 20, "
"	85.	April 12, "	"	110.	July 20, "
"	86.	April 12, "	"	111.	July 21, "
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GENERAL ACTS

PASSED BY THE

LEGISLATURE OF WISCONSIN,

IN THE YEAR

EIGHTEEN HUNDRED AND FIFTY-FOUR,

TOGETHER WITH

MEMORIALS AND RESOLUTIONS.

PUBLISHED BY AUTHORITY.

MADISON:
PRINTED BY DAVID ATWOOD.
1854.

LIST OF OFFICERS.

"SECTION 1. * * * There shall be prefixed to each volume of laws hereafter published, the names and residence of the several State Officers, the Senators, and Members of the Assembly, and the Presiding Officers, and Clerks of both branches of the Legislature, at the time of the passage of such laws."—*General Laws*, 1854, *Chap.* 94.

NAMES AND RESIDENCE

OF THE STATE OFFICERS, SENATORS, MEMBERS OF ASSEMBLY, PRESIDING OFFICERS, AND CLERKS OF BOTH BRANCHES OF THE LEGISLATURE, IN OFFICE AT THE TIME OF THE PASSAGE OF THE LAWS CONTAINED IN THIS VOLUME.

NAME.	OFFICE.	RESIDENCE.	
		NEAREST POST OFFICE.	COUNTY.
Wm. A. Barstow,	Governor,	Waukesha,	Waukesha,
eo. P. Delaplaine,	Prv. Secy. of Gov.	Madison,	Dane,
ames T. Lewis,	Lieut. Governor,	Columbus,	Columbia.
lexander T. Gray,	Sec'y. of State,	Janesville,	Rock.
ohn W. Hunt,	Asst. do	Madison,	Dane,
dward H. Janssen,	State Treasurer,	Mequon River,	Ozaukee,
aniel M. Seaver,	Asst. do	Madison,	Dane,
eo. B. Smith,	Attorney General,	do	do
iram A. Wright,	State Sup't.	Prairie du Chien,	Crawford,
obt. M. Long,	Asst. do	Madison,	Dane.
Wm. M. Dennis,	Bank Comptroller,	Watertown,	Jefferson.
. Menges,	Deputy do	Madison,	Dane,
. W. Starks,	S. Prison Com'r.,	Waupun,	Dodge.
ugust Kruer,	State Librarian,	Madison,	Dane,
ohn Quincy Adams,	Senator,	Fall River,	Columbia,
enjamin Allen,	do	Hudson,	St. Croix,
oles Bashford,	do	Oshkosh,	Winnebago.
ndrew M. Blair,	do	Ozaukee,	Ozaukee.
. B. Bowen,	do	Mayville,	Dodge.
ohn W. Cary,	do	Racine,	Racine,
elson Dewey,	do	Lancaster,	Grant,
harles Dunn,	do	Cottage Inn,	La Fayette,
N. Eldredge,	do	Fond du Lac,	Fond du Lac.
avi Grant,	do	Kenosha,	Kenosha,
P. Harvey,	do	Shopier,	Rock,

NAME.	OFFICE.	RESIDENCE.	
		NEAREST POST OFFICE.	COUNTY.
Daniel Howell,	Senator,	Jefferson,	Jefferson.
E. M. Hunter,	do	Milwaukee,	Milwaukee.
Joseph F. Loy,	do	Depere,	Brown.
Edward McGarry,	do	Milwaukee,	Milwaukee.
George R. McLane,	do	Hartland,	Waukesha.
Baltus Mantz,	do	Meeker,	Washington.
Ezra Miller,	do	Spring Valley,	Rock.
J. D. Reymert,	do	Denoon,	Waukesha.
Levi Sterling,	do	Mineral Point,	Iowa.
Horatio N. Smith,	do	Plymouth,	Sheboygan.
D. S. Vittum,	do	Baraboo,	Sauk.
Eleazer Wakeley,	do	Whitewater,	Walworth.
F. H. West,	do	Monroe;	Green.
T. T. Whittlesey.	do	Pheasant Branch.	Dane.
William P. Allen,	Member of Assembly	Sharon,	Walworth,
Allen H. Atwater,	do	Oak Grove,	Dodge,
Samuel H. Baker,	do	Bristol,	Dane,
Harry Barnes,	do	Middleton,	Dane,
B. F. Barney,	do	Mayville,	Dodge,
O. F. Bartlett,	do	East Troy,	Walworth,
H. M. Beecroft,	do	Milwaukee,	Milwaukee,
C. J. Bell,	do	Johnson's Creek,	Jefferson,
Edward Boener,	do	Ashford,	Fond du Lac,
Theodore Bernhardt,	do	Watertown,	Jefferson,
S. G. Colley,	do	Beloit,	Rock,
John Crawford,	do	Milwaukee,	Milwaukee,
John W. Davis,	do	Fox Lake,	Dodge,
F. Desnoyer,	do	Green Bay,	Brown,
N. M. Donaldson,	do	Waupun,	Fond du Lac.
James H. Earnest,	do	New Diggings,	Lafayette.
Edward Estabrook,	do	Plattville,	Grant.
William Eustis,	do	Oakland,	Jefferson.
George Fox,	do	Herman,	Dodge,
George Gary,	do	Oshkosh,	Winnebago.
W. I. Gibson,	do	Black River Falls,	Jackson.
Jackson Hadley,	do	Milwaukee,	Milwaukee.
T. Hagerty,	do	Franklin,	Milwaukee.
Samuel Hale,	do	Kenosha	Kenosha.
William Hull,	do	Potosi,	Grant.
P. G. Harrington,	do	Sugar Creek,	Walworth.
Alexander Hart,	do	Lima.	Calumet.
C. R. Head,	do	Albion,	Dane.
Jesse Hooker,	do	Salem,	Kenosha.
F. W. Horn,	do	Cedarburg,	Ozaukee.
William Jeffrey,	do	Ellenboro,	Grant.
L. W. Joiner,	do	Wyoming,	Iowa.
A. C. Ketchum,	do	Portage City,	Columbia.
James H. Knowlton,	do	Shullsburg,	Lafayette.
James L. Kyle,	do	Manitowoc,	Manitowoc.
P. W. Lake,	do	Walworth,	Walworth.
Edward Lees,	do	North Prairie,	Waukesha.
P. Lavis,	do	Greenfield,	Milwaukee.

NAME.	OFFICE.	RESIDENCE.	
		NEAREST POST OFFICE.	COUNTY.
John Mathes,	Member of Assembly.	Rhine.	Sheboygan.
Peter W. Matts,	do	Montrose.	Dane.
F. McCormick,	do	Ashippun,	Dodge.
Samuel McCracken,	do	Marquette,	Marquette.
Walter D. McIndoe,	do	Wausau,	Marathon.
Abner Mitchell,	do	Spring Grove,	Green.
David L. Morrison,	do	Fort Atkinson,	Jefferson.
Archibald Nichols,	do	Mackford,	Marquette.
David Noggle,	do	Janesville,	Rock.
Nelson R. Norton,	do	Burlington,	Racine.
Edward O'Neil,	do	Milwaukee.	Milwaukee.
Harlow S. Orton,	do	Madison,	Dane.
Ruel Parker,	do	Portland,	Dodge.
Peter Parkinson, Jr.,	do	Fayette,	Lafayette.
C. H. Purple,	do	Brookfield Centre,	Waukesha.
Darius Reed,	do	Sullivan,	Jefferson.
W. Reinhardt,	do	Milwaukee,	Milwaukee.
C. C. Remington,	do	Baraboo,	Sauk.
C. I. Rich,	do	Vinland,	Winnebago.
Lewis Rood,	do	Hazel Green,	Grant.
A. Rosenthal,	do	Sheboygan,	Sheboygon.
Adam Schantz,	do	Addison,	Washington.
David Scott,	do	Waupaca,	Waupaca.
W. S. Spafard,	do	Geneva,	Walworth.
Joseph Spaulding,	do	Harmony,	Rock.
Jesse Smith,	do	Vernon,	Waukesha.
John Smith,	do	Caledonia,	Racine.
Isaac S. Tallmadge,	do	Fond du Lac,	Fond du Lac.
Wm. F. Terhune,	do	Viroqua,	Bad Ax.
J. L. V. Thomas	do	Beloit,	Rock.
M. J. Thomas.	do	Fond du Lac,	Fond du Lac.
John Toay,	do	Mineral Point,	Iowa.
John Tobin,	do	Granville,	Milwaukee.
Alfred Topliff,	do	East Hampden,	Columbia.
W. M. Torbert,	do	Hudson,	St. Croix
W. E. Webster,	do	Milwaukee,	Milwaukee.
Thomas West,	do	Raymond,	Racine.
M. M. Wheedon,	do	Ozaukee,	Ozaukee.
Nathaniel Wheeler,	do	Richland Centre,	Richland.
Andrew Whiting,	do	Richmond,	Walworth.
D. Worthington,	do	Summit,	Waukesha.
Charles S. Wright,	do	Racine,	Racine.
Milas K. Young,	do	Cassville.	Grant.
Philip Zimmerman.	do	Germantown,	Washington.

PRESIDING OFFICERS AND CLERKS.

NAME.	OFFICE.	RESIDENCE.	
		NEAREST POST OFFICE.	COUNTY.
James T. Lewis,	President of the Senate.	Columbus,	Columbia.
Benj. Allen,	Prest. pro tem of the Senate.	Hudson,	St. Croix.
Frederick W. Horn,	Speaker of the Assembly.	Cedarburg,	Ozaukee.
Wm. Hull,	Speaker pro tem of the Assembly.	Potosi,	Grant.
Sam'l. G. Bugh,	Chief Clerk of the Senate.	Shullsburg,	La Fayette.
John M. Coe,	Asst. Clerk of the Senate.	Milwaukee,	Milwaukee.
Thos. McHugh,	Chief Clerk of the Assembly.	Madison,	Dane.
David McKee,	Asst. Clerk Assembly.	Potosi,	Grant.

GENERAL LAWS

OF THE

STATE OF WISCONSIN,

TOGETHER WITH THE MEMORIALS AND RESOLUTIONS.

Chap. 1.

AN ACT *to attach a part of the County of Chippewa to the County of Buffalo.*

Published, January 25, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. All that part of the county of Chippewa situated south of the township line between townships twenty-four and twenty-five north, and between the main channel of Chippewa river and the range line between ranges nine and ten west, is hereby set off from the said county of Chippewa and attached to the county of Buffalo, and shall hereafter constitute a part of the said county of Buffalo. Part to be attached.

§ 2. This act shall take effect and be in force from and after its passage.

Approved, January 24, 1854.

To supply deficiency.

of money equal to one-half the amount received from the school fund, are hereby authorized to supply such deficiency by an immediate assessment upon the taxable property of said towns, such sum as shall be necessary; the same to be estimated and directed by the board of supervisors of the respective towns, to be levied and collected in the same manner as other taxes, and certified by the town clerk to the state superintendent, previous to the 5th day of March, 1854.

State Superintendent to apportion money.

§ 3. The state superintendent is hereby authorized to apportion to the different towns that comply with the requisitions of this act, such sums of money as they may be thereby entitled to.

§ 4. This act shall take effect from and after its passage and publication.

Approved, January 28, 1854.

Chap. 4.

AN ACT *to extend the time of the payment of interest on School and University Lands, and on School and University Funds.*

Published, February 3, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. That the time now required by law, by which the interest on school and university lands and school and university funds, shall be paid, is hereby extended to the fifth of March of each year.

§ 2. This act shall take effect from and after its passage.

Approved, February 1, 1854.

Chap. 5.

AN ACT *to amend chapter twenty-seven of the Revised Statutes.*

Published, February 8, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. Amend chapter twenty-seven of the revised statutes, section twenty, so as to read, "said medical society shall be entitled to admit permanent members in accordance with its constitution and by-laws." Act amended.

Approved, February 2, 1854.

Chap. 6.

AN ACT *to amend section fifty-four of chapter ninety-eight of the Revised Statutes.*

Published, February 8, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. Section fifty-four (54) of chapter ninety-eight (98) of the revised statutes, is hereby so amended as to read as follows: Act amended.

Printed copies of the statute laws, and all acts and resolves of the legislature of any state or territory of the United States, if purporting to be published under the authority of their respective governments, or if commonly admitted and read as evidence in their courts, shall be admitted in all courts in law and equity, and on all other occasions in this state, as *prima facie* evidence of such laws, acts, and resolves; and hereafter it shall not be nec- Copies of laws to be received as evidence.

essary to set forth the same by plea or otherwise; but such statutes, laws, acts, or resolves, may be given in evidence under pleadings and obligations (*allegations*) in the usual form in all courts in this state.

§ 2. This act shall take effect and be in force from and after its passage and publication.

Approved, February 2, 1854.

Chap. 7.

AN ACT *to organize the county of Dunn.*

Published February 9, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Boundary.

§ 1. All that portion of country embraced in the following boundaries, is hereby set off into a separate county, to be called and known as the county of Dunn, to wit: beginning in the Mississippi river at the mouth of Rush river, thence running east on the south line of Pierce county to the south-east corner of said Pierce county; thence north on the east boundary line of Pierce and St. Croix counties to Polk county; thence east on the township line between township thirty-one and thirty-two north, to the range line between ranges ten and eleven west; thence south on said range line to the township line between townships twenty-four and twenty-five north; thence west on said township line to the Chippewa river; thence down the centre of the main channel of Chippewa river to the Mississippi river; thence up the centre of the main channel of the Mississippi river, to the place of beginning.

Attached to Chippewa for judicial purposes.

§ 2. The said county of Dunn is hereby attached to the county of Chippewa for judicial purposes.

§ 3. At the general election to be held in the month of November, 1854, there shall be elected in said county the proper county officers for county government, (not including clerk of the circuit court nor county judge,) which of-

ficers so elected, shall qualify as now provided by law, and enter upon the duties of their several offices the first day of January, 1855.

§ 4. The seat of justice in said county shall be and the same is hereby located at Colburn's at or near the Ferry across Red Cedar river, near its mouth in said county. *Provided*, That the electors in said county may, at the next general election, by vote, change the location of said county seat to any other point in said county, by a majority of the vote polled at said election. Location of county seat. Proviso.

§ 5. This act shall take effect from and after its passage.

Approved, February 3, 1854.

Chap. 8.

AN ACT *to provide for the collection and appropriation of five per cent. returned on the delinquent tax list.*

Published, February 10, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. That section seventy of chapter fifteen of revised statutes shall be so construed as to require the several town treasurers in this state to return with their delinquent list to the county treasurers the five per cent. allowed by law for collection fees, and the five per cent. on the delinquent tax list returned by the town treasurers to the county treasurers as collectors' fees, shall be collected by the county treasurers in the same manner that other delinquent county taxes are collected, and in like manner appropriated. How sec construed.

§ 2. That all moneys previously so collected and now remaining in the hands of the county treasurers, shall be paid to the order of the county board of their several counties, the same as other county funds. Money to be paid out.

§ 3. This act shall be printed immediately after its passage, and when so printed shall be in force.

Approved, February 9, 1854.

Chap. 9.

AN ACT *to amend an act entitled "an act to amend chapter forty-one of the Revised Statutes, approved April 2, 1853."*

Published, February 11, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Act amended.

§ 1. The act to which this is amendatory is hereby amended by striking out the words, "not within the municipal jurisdiction of and such city or town."

§ 2. This act shall take effect from and after its passage and publication.

Approved, February 9, 1854.

Chap. 10.

AN ACT *to divide LaPointe county and create the county of Douglass.*

Published, February 11, 1854.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Boundary of county.

§ 1. All that portion of country now embraced in La-Pointe county, lying and being west of range nine (9) west, shall be and is hereby set off into a separate county to be called and known as the county of Douglass.

Election when held.

§ 2. There shall be an election held in the several towns and precincts such as now are or may be hereafter established by law, on the first Tuesday in April, A. D. 1854, for the election of all such town officers as the said county by virtue of its organization and privileges of this act

shall be entitled to, who (said town officers) shall severally hold their town offices one year, and until their successors are duly qualified.

Election of county officers, &c.

§ 3. There shall be an election of all the county officers except county judge in said county, at the next general election holden in November, A. D. 1854, and the officers so elected shall hold their respective offices two years from the first day of January, A. D. 1855, except county judge, and until their successors are duly qualified; and such election shall be conducted in all respects, in the manner now provided for holding the same under the law regulating general elections; and the votes cast at the same shall be returned and canvassed as therein provided and the judges of said election shall issue certificates of election to any person duly elected under the provisions of this act.

County seat located.

§ 4. That the county seat of justice of the said county shall be located on section thirty, town forty-nine north, range thirteen, west of the fourth meridian, at or near the mouth of St. Louis river. *Provided*, That the said county may, at a general election hereafter duly called, alter said location by a majority of all the legal voters of said county, present at such election for the same.

Proviso.

When may organize for judicial purposes.

§ 5. From and after the twenty-fifth of November, A. D. 1854, the said county may be organized for judicial purposes; the circuit court shall be holden on the first Monday in June and the first Monday in December in each year.

Time of holding court.

§ 6. The county court for the said county shall be held as follows: on the first Monday in January, the first Monday in April, the first Monday in July, and the first Monday in October of each year.

Election of county judge.

§ 7. There shall be elected in said county, on the first Tuesday in April A. D. 1854, a county judge, who shall hold his office two years, and until his successor shall be duly qualified, and shall enter upon the duties of his office, immediately after notice given of his election. *Provided*, Nothing in this section shall be construed to prevent the county judges elected thereafter, from holding their office as is now provided by law.

Proviso.

§ 8. All acts or parts of acts, that conflict with this act are hereby repealed.

Approved, February 9, 1854.

Chap. 11.

AN ACT *to amend section twenty-nine of chapter one hundred and thirty of the Revised Statutes.*

Published, February 11, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Act amended.

§ 1. Section twenty-nine of chapter one hundred and thirty of the revised statutes is hereby amended so as to read as follows: In all cases of appeal from a justice of the peace, in civil actions, the party recovering judgment shall recover costs. *Provided, however*, If a party appeal from a judgment in his own favor, and in the appellate court shall not recover a larger judgment exclusive of costs, than in the court below, he shall not recover costs, but shall pay costs to the opposite party.

Proviso,

Approved, February 9, 1854.

Chap. 12.

AN ACT *to amend chapter* 153 *of the Revised Statutes.*

Published, April 21, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Charges for maintenance of convicts to be paid by State.

§ 1. Section three of chapter 153 of the Revised Statutes is hereby amended so as to read as follows, viz: All charges for maintaining convicts who have been sentenced to confinement in the state prison shall be paid out of the state treasury yearly; the accounts of the keeper being first verified by his oath and presented to the board of supervisors of the county where the convict shall be confined, and certified to by them to be correct and just, and

a proper charge against the state, and the expenses for maintaining persons charged with offences, and duly committed for trial, and of those who are sentenced to confinement in the county jail, or who may be committed for the non-payment of any fines, and expenses for safe keeping all prisoners in said jail, shall be paid out of the treasury of the county; the accounts of the keeper being first allowed by the board of the county supervisors. Proviso. *Provided*, That the state or any county shall never pay more than two and a half dollars per week for the support of any person confined as aforesaid.

§ 2. All acts and parts of acts contravening the provisions of this act are hereby repealed.

§ 3. This act shall take effect from and after its publication.

Approved, February 11, 1854.

Chap. 13.

AN ACT *to divide the sixth Judicial Circuit and organize an eighth Judicial Circuit, and to fix the time for holding the Circuit Courts in the Counties of the respective circuits.*

Published, March 6, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. From and after the first day of January, in the year eighteen hundred and fifty-five, all that portion of this state included within the counties of Chippewa, Dunn, Pierce, St. Croix, Polk, LaPointe, and Douglass, shall constitute and be a separate judicial circuit, to be known and designated as the eighth judicial circuit; and all that portion of this state included in the counties of Crawford, Bad Ax, LaCrosse, Monroe, Jackson, Clark, Trempe a'eau and Buffalo, shall continue to be the sixth judicial circuit. Eighth Judicial Circuit, how constituted.

§ 2. The terms of the circuit court in the several coun-

Terms of Court when holden.

ties of the eighth judicial circuit after its organization, shall be holden at the times following, to wit:

In the county of St. Croix on the fourth Monday of April and fourth Monday of October of each year.

In the county of Pierce on the fourth Monday of March and fourth Monday of September of each year.

In the county of Polk on the second Monday of April and second Monday of October of each year.

In the county of Chippewa on the second Monday of March and the second Monday of September of each year. The county of Dunn shall be attached to the county of Chippewa for judicial purposes.

In the county of Lapointe on the first Monday of February and the first Monday of August of each year.

In the county of Douglass on the third Monday of February and the third Monday of August of each year.

Time of holding election.

§ 3. An election shall be holden in said eighth judicial circuit for the election of a judge of the circuit court thereof, in the several counties and precincts, on the fourth Monday of September next; such election shall be conducted and the votes canvassed in the same manner as at general elections for state and county officers. The inspectors or judges of said election shall make returns thereof to the clerk of the board of supervisors of their respective counties, immediately after the same are canvassed, and the said clerks of the board of county supervisors shall file the same in their offices, and forthwith transmit a copy thereof to the governor of this state.

Canvassing returns.

§ 4. On the first Monday of November next, the governor, with the secretary of state and treasurer, shall proceed to canvass said returns; and the person having the highest number of votes for said office, cast in said circuit shall be the judge elect of said eighth judicial circuit, and the governor shall transmit to the person so elected a certificate of his election under the seal of the state; and in case there shall be a tie, the governor shall forthwith proclaim the fact and order a new election in said circuit.

In case of tie.

Oath of Judge.

§ 5. The judge elect, before he enters on the duties of his office, shall take and subscribe the following oath or affirmation: "I, ————————, do solemnly swear, (or affirm as the case may be,) that I will support the constitution of the United States and the constitution of the state of Wisconsin, and that I will administer justice without respect to persons, and will faithfully and impartially

discharge the duties of the office of judge of the circuit court of the state of Wisconsin, according to the best of my ability." Such oath or affirmation shall be duly certified by the officer administering the same, and by said judge filed in the office of the secretary of state.

When judge shall enter upon his term of office.

§ 6. Said judge shall enter upon the duties of his office on the first day of January, in the year eighteen hundred and fifty-five, and shall hold his office for the term of six years, and until his successor is elected and qualified. He shall have all powers and jurisdiction conferred upon other judges of the circuit court of this state, and shall perform like duties, receive like compensation, and have the same rights and privileges.

Powers and duties.

Time and places of holding court how regulated for 1855.

§ 7. From and after the first day of January, in the year eighteen hundred and fifty-five, the circuit court for the sixth judicial circuit shall be holden at the times and places as follows:

In the county of Crawford on the first Monday of March and the first Monday of September, in each year.

In the county of Bad Ax on the third Monday of March and the third Monday of September in each year.

In the county of Monroe on the fourth Monday of March and the fourth Monday of September of each year.

In the county of Jackson on the first Monday of April and the first Monday of October of each year. And the county of Clark shall be and is hereby attached to county of Jackson for judicial purposes.

In the county of LaCrosse on the second Monday of April and second Monday of September of each year.

In the county of Trempe a l'eau on the fourth Monday of April and fourth Monday of October of each year.

In the county of Buffalo on the first Monday after the fourth Monday of April and the first Monday after the fourth Monday of October in each year.

Change in the county of Crawford.

§ 8. The circuit court in and for the county of Crawford shall be holden on the second Monday of May, instead of the fourth Monday of March, as now required by law for the year eighteen hundred and fifty-four; and all writs, process, indictments, appeals, recognizances, or other proceedings whatsoever, made returnable to said March term of said court, and all adjournments, appearances, continuances, motions, and notices of any proceedings in the said court of the said county of Crawford, made or

taken to the said March term, shall be held to be to the May term aforesaid.

Time and place of holding court in 1854.

§ 9. The circuit court for the sixth judicial circuit for the year eighteen hundred and fifty-four, shall be holden at the times and places following, to wit:

In the county of Crawford on the second Monday of May and fourth Monday of September.

In the conty of Bad Ax on the second Monday of March and second Monday of September.

In the county of Chippewa on the fourth Monday of February and fourth Monday of August.

In the county of Jackson on the fourth Monday of March and the fifth Monday of October.

In the county of LaCrosse on the second Monday of April and the second Monday of October.

In the county of Buffalo on the third Monday of April and third Monday of October.

In the county of St. Croix on the fourth Monday of April and the fourth Monday of October.

In the county of Pierce on the fourth Monday of May and the second Monday of November.

In the county of Polk on the third Monday in May and the third Monday in November.

In the county of LaPointe on the first Monday of August.

In the county of Douglass on the second Monday of August.

In the county of Monroe on the third Monday of September.

Special terms.

§ 10. The judges of the sixth and eighth judicial circuits shall not be required to hold a special term of the circuit court in each county within their respective circuits, in each year, unless such judge shall be satisfied that there is official business for him to dispose of, necessary to be done; and that such special term will not interfere with the duties of his holding stated terms of the circuit court in such circuit; but said judges of the sixth or eighth circuit may hold a special term or an extra jury term of such court, agreeably to the provisions of the fourth and fifth sections of chapter eighty-three (83) of the revised statutes, any law to the contrary notwithstanding.

§ 11. This act shall take effect from and after its passage and publication; and the secretary of state shall forthwith transmit by mail a printed copy of this act to each of the clerks of the circuit courts within the organized counties mentioned in this act.

Approved, February 17, 1854.

Chap. 14.

AN ACT *to organize the County of Oconto for Judicial Purposes.*

Published, April 21, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

When organized. § 1. From and after the fourth day of July next, the county of Oconto shall be fully organized for judicial purposes, and shall enjoy all the rights and privileges appertaining to other counties so organized in this state.

Terms of court when held. § 2. Said county of Oconto shall be and hereby is constituted a part of the fourth judicial circuit, and two terms of the said court shall be holden annually in said county, at the county seat thereof, to wit: on second Monday of July and the second Monday of January annually. There shall be four terms of the county court annually, to wit: On the first Monday in February, May, August and November.

Laws concerning writs &c., applicable to Oconto Co. § 3. All writs shall issue and be made returnable as required by law in other counties, and all laws now in force applicable to the summoning and empannelling of jurors, shall be applicable to and be in force in the said county of Oconto.

First election of officers. § 4. The qualified electors of said county shall on the second Tuesday in June, eighteen hundred and fifty-four, elect a sheriff, clerk of the court, and register of deeds, clerk of the board of supervisors, and county treasurer, who shall hold their offices until the first day of January,

eighteen hundred and fifty-five, and they shall also on the first Tuesday of May elect a county judge, who shall hold his office until the first day of January, eighteen hundred and fifty-five and until his successor is elected and qualified. At such election the votes given for such officers shall be returned and canvassed in the same manner as votes are returned and canvassed at a general election in other organized counties in this state.

Elections thereafter.

§ 5. After such first election, all county officers provided for by the law of this state, shall be elected in said county at the same time and in the same manner as is provided by law in other organized counties.

Supervisors to procure copy of records of Brown Co.

§ 6. The supervisors of the county of Oconto are hereby authorized and required to procure a copy of the records of Brown county, of mortgages, decrees, judgments, recognizances, or other matter relating to the said county of Oconto in any way whatsoever, and copies entered in the respective offices of Oconto county shall be of the like form and effect as if originally entered of record in said county. The expense incurred or made in transcribing said records shall be paid out of the treasury of Oconto county.

§ 7. This act shall take effect from and after its passage.

Approved, February 18, 1854.

Chap. 15.

AN ACT *to provide for paying the expenses incurred in appraising the Capitol Lands.*

Published February 24, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

When paid.

§ 1. Whenever the appraisers of the capitol lands shal file their return in the office of the Secretary of State the expenses so incurred shall be paid by the State Treas

urer, out of the general fund, according to the provisions of chapter twenty, and one hundred and seven, of the general statutes of A. D. 1853; *Provided*, That the expenses so incurred, shall be reimbursed out of the first sales of said lands.

Approved Feb. 21, 1854.

Chap. 16

AN ACT *to provide for an annual appropriation for the benefit of the State Historical Society.*

Published February 24, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. There is hereby annually appropriated, until the legislature shall by law otherwise direct, to the State Historical Society of Wisconsin, the sum of five hundred dollars, to be expended by said society in collecting, embodying, arranging, and preserving in authentic form, a library of books, pamphlets, maps, charts, manuscripts, papers, paintings, statuary, and other materials illustrative of the history of Wisconsin; to rescue from oblivion the memory of its early pioneers, to obtain and preserve narratives of their exploits, perils and hardy adventures; to secure facts and statements relative to the history, genius, progress, or decay of our Indian tribes; to exhibit faithfully the antiquities, and the past and present resources of Wisconsin; also to aid in the publication of such of the collections of the society, as the society shall from time to time deem of value and interest; to aid in binding its books, pamphlets, manuscripts and papers, and in paying room rent and other necessary incidental expenses of the society. But no part of such annual appropriation shall ever be paid for services rendered by the officers to the society. Appropriation. How expended.

Account of expenditure—how kept.

§ 2. It shall be the duty of the executive committee of the said State Historical Society of Wisconsin, to keep an accurate account of the manner of expenditure of the said sum of money hereby appropriated, and transmit the same, together with the vouchers therefor, to the Governor of this State, in the month of January in each year, to be by him laid before the legislature.

§ 3. This act shall take effect, and be in force from and after its passage.

Approved Feb. 21, 1854.

Chap. 17.

AN ACT *to repeal chapter seventy-nine of session laws of* 1853, *entitled an act concerning bills of exchange and promissory notes.*

Published April 23, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Act repealed.

§ 1. Chapter seventy-nine of the session laws of eighteen hundred and fifty-three, entitled "an act concerning bills of exchange and promissory notes," is hereby repealed; *Provided*, That this act shall in no wise effect any promissory note or bill of exchange due before this act shall take effect.

§ 2. This act shall take effect and be in force from and after it passage.

Approved Feb. 21, 1854.

Chap. 18.

AN ACT *concerning the State Library.*

Published February 24, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly do enact as follows:

§ 1. For the purpose of replenishing the State Library, there is hereby appropriated to His Excellency, William A. Barstow, Governor of this State, the sum of three thousand dollars, to be paid to him by the State Treasurer, out of any money in the treasury not otherwise appropriated. The aforesaid sum shall be expended for the purpose aforesaid, under the direction of the Governor, in the following proportions and order, viz: Two-thirds of the aforesaid sum shall be applied to the purchase of law books, as follows: 1st. Such of the reports of the Supreme Court of the United States, as are not in the library. 2d. Such of the reports of the several states as are not in the library, and of which some portions are therein. 3d. Such other reports and standard elementary and other works as the Governor shall think fit. The remaining third of the aforesaid sum shall be applied to the purchase of such other (and not law) books, as the State Librarian shall advise, and be approved by the Governor.

Appropriation.

How expended.

§ 2. The books aforesaid, shall be purchased and placed in the Library with all reasonable dispatch.

§ 3. This act shall be printed by the State Printer immediately after the passage thereof, and when so published shall take effect and be in full force.

Approved, February 21, 1854.

Chap. 19.

AN ACT *to provide for the purchase of stationery, for the next Legislature.*

Published April 25, 1854.

The people of the State of Wisconsin represented in Senate and Assembly do enact as follows:

Halpin to purchase stationery.

§ 1. James Halpin, superintendent of public property, is hereby authorized to purchase all stationery necessary for the next legislature.

Appropriation.

§ 2. There is hereby appropriated out of any money in the treasury not otherwise appropriated the sum of twenty-five hundred dollars, as a contingent fund for the purchase of such stationery.

To give bond.

§ 3. The said James Halpin is hereby required to make out an account of the disposition of such fund to the proper committee of the next legislature and he is also required to give a bond in the sum of thirty-five hundred dollars to the state treasurer with surety, which bond shall be approved by the governor, for the faithful expenditure of the said sum of twenty-five hundred dollars, or so much thereof as may be necessary for the purpose mentioned in the first and second sections of this act. *Provided*, That before drawing any of said sum of twenty-five hundred dollars, the said James Halpin shall make and execute such bond to the state treasurer with two or more sufficient sureties to be approved by the governor. *And provided also*, That the purchase of stationery made by the said James Halpin, shall be by contract and said contract shall be let to the lowest bidder.

Provisoes.

Approved Feb. 22, 1854.

Chap. 20.

AN ACT *to amend Chapter Eighteen of the Revised Statutes.*

Published February 27, 1854.

The people of the State of Wisconsin represented in Senate and Assembly do enact as follows:

State Superintendent made member of Board of Regents of University.

§ 1. The State Superintendent of Public Instruction and the Secretary of State shall, during their respective terms of office be *ex officio* members of the Board of Regents of the University of Wisconsin, in addition to the number now provided by law, and a majority of the board shall constitute a quorum for the transaction of business.

§ 2. This act shall take effect from and after its passage and publication.

Approved, February 24, 1854.

Chap. 21.

AN ACT *to increase the jurisdiction of the Dane County Court.*

Approved February 24, 1864.

The people of the State of Wisconsin represented in Senate and Assembly do enact as follows:

Powers and Jurisdiction increased.

§ 1. The county court of the county of Dane, (in addition to the powers and jurisdiction conferred on county courts, by chapter eighty-six of the Revised Statutes) shall have and exercise powers, authority and jurisdiction, within said county (both at law and in equity,) equal to, and concurrent with the circuit courts of this State, (except in criminal cases) in civil cases, where the amount in

controversy shall not exceed the sum of twenty thousand dollars.

Judge may act at chambers.

§ 2. The judge of said court shall have the same powers and authority to act at chambers, in any matter within the jurisdiction of said court, as judges of the circuit courts now have in their respective circuits.

Appeals.

§ 3. Parties to causes shall have the same right of appeal, and writ of error, from said county court to the supreme court, as is now allowed by law from the circuit courts.

Juries.

§ 4. Juries in said court shall be drawn and empanneled in the same manner and upon the same terms as provided in sections sixteen and seventeen of chapter eighty-six of the Revised Statutes, and shall, in each case, consist of twelve persons.

Court Commissioner.

§ 5. The said county court shall have power to appoint in said county, one court commissioner, who may perform the same duties in relation to said court as court commissioners of the circuit courts are allowed to perform in relation to the circuit courts.

Fees of Judge.

§ 6. The fees and compensation of the judge of said court, shall be as provided for judges of county courts, in chapter one hundred and thirty-one of the revised statutes, except, that for all services in a cause wherein judgment is confessed by defendant, or cause disposed of without trial on the merits, on return of process, he shall receive two dollars; for all services on the trial of a cause without a jury, including the rendition of judgment, three dollars; for all services on the trial of a cause with a jury, including receiving and entering verdict and rendering judgment, or if the jury be discharged and a new trial ordered, or the cause otherwise disposed of, three dollars and fifty cents; for hearing a chancery cause and rendering the final decree therein, five dollars.

May make code of rules.

§ 7. The judge of said court shall have power to make and publish a code of rules to govern the practice and proceedings in said court, as he shall deem expedient.

§ 8. This act shall take effect and be in force from and after the first day of March next.

Approved, February 24, 1854.

Chap. 22.

AN ACT *concerning School Districts.*

Published February 29, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly do enact as follows:

Taxes legalized.

§ 1. All taxes heretofore voted by any school district, pursuant to the provisions of chapter 19 of the revised statutes, or of the act approved March 29th, 1853, entitled "an act to amend chapter nineteen of the revised statutes of this state," are hereby declared legal for all purposes: and at any time within three months after this act shall take effect, any warrant heretofore issued for the collection of any such tax to the district treasurer may be renewed for thirty days, and may thereafter be again renewed, with the consent of the proper town superintendent; or the district clerk may issue a new warrant and tax list for the collection thereof, in cases where a warrant may have already been issued therefor, either to the district treasurer or town treasurer, on which the taxes have not been fully collected, and in cases where no warrant has been issued; and at any time within three months after this act shall take effect, it shall be lawful for any school district, at any special meeting legally called, to vote a tax for any purpose authorized by law; and the same proceedings shall be had upon all such warrants and to collect all such taxes mentioned in this section as are provided in said chapter nineteen, which for that purpose is hereby revived and declared to be in full force as the same was at the date aforesaid, any law to the contrary notwithstanding. The tax list in every such case shall be based upon, and as far as practicable correspond with the assessment roll or rolls of the town or towns in which the district lies, and which were equalized last and next prior to the time when the original warrant for the collection of such tax was issued, or shall be issued.

Warrants heretofore issued may be renewed.

Base of tax list.

§ 2. In all cases where a warrant for the collection of any such tax as is mentioned in the preceding section

Provision for cases where tax has been paid.

has been issued, and any person or persons shall have paid or shall have had collected from his, her, or their property the whole or any portion of the tax therein appearing as assessed against him, her or them, or upon any property belonging to such person or persons, the amount so paid or collected shall be credited to him, her or them, by the treasurer of the school district upon being requested by such person or persons, and upon the production of proper evidence of such payment. The affidavit or receipt of a former treasurer or personal knowledge of the acting treasurer of such payment, shall be good evidence under the provisions of this section. A credit made upon request as herein before provided, shall operate as and is hereby declared to be a perpetual bar to any and all actions heretofore or which may hereafter be commenced by the person or persons thus credited and the same may be pleaded *puis darien* continuance, or otherwise, as the case may require; and the same be pleaded singly, or with any other proper plea to such action or actions.

Clerk to make certificate of amount of tax voted at last annual meeting.

§ 3. Hereafter, the clerk of each school district, shall, on or before the last Monday of November in each year, deliver to the town clerk of the town in which the district is situated, a certificate, verified by his affidavit, showing the amount of the tax voted at the last preceding annual meeting, and a list of all persons and corporations liable to a school district tax therein; or in case of a joint district, he shall deliver to the town clerk of each town in which any part of the district is situated a certificate so verified, showing the proportion of the tax to be assessed in that part of the district within such town, and the persons and corporations liable to a school district tax in that part of the district, which proportion shall be ascertained from the valuations contained in the last assessment rolls of the respective towns; and to enable the district clerk to ascertain the same, the town clerk of each such town, shall on demand, at any time after he has received the equalized assessment roll of his town, deliver to the district clerk of any such joint district, a certified statement of the valuation of real and personal property in that part of such district lying within his town, as the same appears from said assessment roll.

§ 4. The town clerk shall assess such tax, or the due proportion thereof, upon the real and personal property

liable thereto, placing the same in a separate column in the next assessment roll of his town, delivered to the town treasurer for collection whenever such certificate of the district clerk shall be received by him in time therefor, although after the last Monday of November. And if for any reason such tax shall not be assessed in the next assessment roll after the tax is voted, it shall be assessed in that of the next succeeding year. The tax shall, in all respects be collected or returned delinquent like other taxes, and when collected, the money shall be paid over to the town superintendent and by him to the district treasurer, like other school moneys.

Town Clerk to assess tax.

Further provisions.

§ 5. After three months from the passage of this act, the town clerk shall not be required to make out transcripts of the assessment roll for school districts; and sections two, three, and four of the act entitled "An act to amend chapter nineteen of the revised statutes of this state," approved March 29, 1853, are hereby repealed.

Sections of former act repealed.

§ 6. This act shall be published in the Weekly Argus and Democrat, printed at Madison, immediately after its passage, and shall thereupon take effect. The Secretary of State shall also forthwith, cause it to be published in each weekly newspaper printed in this state, and shall audit the accounts therefor, as provided in chapter one hundred and four of the general statutes of 1853.

Act to be published.

Approved Feb. 25, 1854.

Chap. 23.

AN ACT *to authorize the election of officers in Shawanaw county and to extend the jurisdiction of the same.*

Published April 29, 1854.

The people of the State of Wisconsin represented in Senate and Assembly do enact as follows:

§ 1. The qualified electors of the county of Shawanaw are hereby authorized to elect all officers to which said county is entitled at the annual town election in said

Repealed.

county on the first Tuesday of April next, and such officers shall hold their offices until their successors, who shall be elected on the Tuesday succeeding the first Monday in November, A. D. 1854, shall be duly elected and qualified.

§ 2. So much of section 3, of chapter 9 of the general statutes of 1853, as specifying the time for holding the first election in said county of Shauanaw is hereby repealed.

Towns attached.

§ 3. Towns twenty-eight, (28) twenty-nine, (29) and thirty (30) north of range fifteen (15) sixteen (16) and seventeen (17) east, are hereby attached to said county of Shauanaw for county purposes.

§ 4. This act shall take effect from and after its passage.

Approved Feb. 27, 1854.

Chap. 24.

AN ACT *for the protection of sheriffs, constables, marshals and other ministerial officers.*

Published April 10, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Penalty for resisting civil officers.

§ 1. Every person who shall knowingly resist any sheriff, deputy sheriff, constable, marshal, or other ministerial officer, while engaged in the lawful execution of any civil or criminal process issued by any court, body, board or officer, authorized to issue the same, or in lawfully doing any act as such officer; or who shall in any way knowingly and intentionally counsel, advise, or procure any other person or persons to resist any such officer, so lawfully engaged in the execution of such process, or in lawfully doing such other act as such officer, shall, for every such offence, be punished by imprisonment in the county jail not less than three months, nor more than two years, or by fine not less than five dollars nor more than three hundred dollars, or by both such fine and imprisonment, in the discretion of the court.

§ 2. This act shall take effect from and after its passage.

Approved Feb. 27, 1854.

Chap. 25.

AN ACT *to amend section thirty-seven, of chapter eighty four of the Revised Statutes.*

Published April 8, 1854.

The people of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

How amended. § 1. Section thirty-seven of chapter eighty-four of the revised statutes, of this state, is hereby amended so as to read as follows: A final decree of a court of chancery shall have the same operation, force and effect as a judgment at law, from the time of signing and docketing such decree, in the manner hereinafter provided.

Duties of Clerk of Court. § 2. The clerks of the circuit courts of the several counties in this state, shall immediately after the signing of a final decree obtained in a court of chancery, in the several counties in this state, enter in an alphabetical docket, in books to be provided and kept by him, a statement of such final decree, containing:

1st. The names at length of all the parties to such decree, designating particularly those against whom it is obtained.

2d. The amount of the decree, or the substance of what is required by the decree; to be done without the cost.

3d. The hour and day of entering such docket.

§ 3. If the decree be against several persons, such statement shall be repeated under the name of each person, against whom the decree was obtained, in the alphabetical order of their names, respectively.

Parties to call Clerk's attention to this act. § 4. It shall be the duty of the party, his or their solicitor, or counsellor, in whose favor a final decree shall have been obtained, to call the attention of the clerk to the provisions of this act and request him to docket such decree in the manner required by this act.

Final decree when docketed binding. § 5. A final decree of a court of chancery for the recovery, or payment of a sum of money when docketed as aforesaid from the time when an execution might by law be issued thereon, shall bind and be a charge upon lands,

tenements, real estate and chattels real, for the same period of time, and as though the same were a judgment, and not otherwise.

Act how construed.

§ 6. This act shall not be so construed as to prevent clerks of the circuit courts, in their respective counties, from docketing final decrees in the same books kept by them for the purpose of docketing judgments at law.

§ 7. This act shall take effect from and after its passage and publication.

Approved March 27, 1854.

Chap. 26.

AN ACT *to amend section* 36 *of chapter* 28 *of the Revised Statutes.*

Published, April 10, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. Section thirty-six (36) of chapter twenty-eight (28) of the revised statutes, is hereby amended so as to read as follows:

Power conferred on county superintendents of poor.

When any county shall have abolished the distinction between county poor and town poor, the same powers conferred and duties imposed in said chapter twenty-eight, on town supervisors as officers of the poor, shall be exercised by the county superintendents of the poor in such county and the same powers and duties shall also be conferred upon the county superintendents of poor, as is conferred on town supervisors in cases of "bastardy," under chapter 31 of the Revised Statutes, and in any and in all cases where bonds are required to be given by said chapter 31, such bonds may be given to the county superintendents of poor of the proper county, and either the town supervisors or the county superintendents of poor may approve such bonds when the same is necessary.

§ 2. All acts and parts of acts contravening this act are hereby repealed.

§ 3. This act shall take effect from and after its passage.

Approved, March 3, 1854.

Chap. 27.

AN ACT *to amend section fifty-one, of chapter eighty-eight, of the Revised Statutes.*

Published April 18, 1854.

The people of the State of Wisconsin represented in Senate and Assembly do enact as follows:

§ 1. At the time of the return of a summons in all cases where the defendant does not appear, the justices shall upon the application of the plaintiff without requiring cause to be shown, adjourn the case for such time as may be required, not exceeding one week, but if sufficient cause be shown on oath by plaintiff, his agent or attorney, the justice shall grant an adjournment for a longer time than one week, not exceeding ninety days.

§ 2. This act shall take effect and be in force from and after its publication.

Approved March 3, 1854.

Chap. 28.

AN ACT *relating to counties not duly organized for Judicial purposes.*

Published April 1, 1854.

The people of the State of Wisconsin represented in Senate and Assembly do enact as follows:

Where counties fail to organize.

§ 1. If any county organized by act of the legislature or judicial or county purposes shall fail to organize as by law required for the term of one year from the passage of this act, it shall be attached and hereby is attached to the county which shall have been organized for judicial purposes for the longest period of time and which shall adjoin and form a part of the boundary of the county which shall have failed to become duly organized as by law required. And the town of such organized county

forming a part of the boundary of the county not duly organized which shall have the least amount of taxable property of such town shall have power, and it is hereby made the duty of the supervisors, assessors, and collectors and treasurers of such town to levy, assess and collect a tax on all the taxable property in such unorganized county, equal to the same per cent. as shall be levied in such town upon property within the original boundary of such town, for town, school, county, state or other tax required by law to be levied and collected, any law to the contrary notwithstanding.

Collection of taxes, &c.

§ 2. Any county attached to another county for judicial purposes shall pay annually into the treasury of the county organized for judicial purposes, all costs and expenses incurred in prosecuting crimes and misdemeanors, perpetrated in said attached county or other county, proceedings and suits, out of the county treasury of the county so attached for judicial purposes, and it is hereby made the duty of the board of county supervisors of such county to provide a sum annually sufficient for that purpose, any law to the contrary notwithstanding.

Pay to counties to which it is attached, costs &c. of criminal trials.

§ 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 6, 1854.

Chap. 29.

AN ACT *to amend an act entitled an act to provide for the incorporation of Mutual Savings, Trust, Loan, and Building Associations, approved February 9th*, 1850.

Published April 8, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. Section one in said act is hereby so amended, that where the word "ten" occurs in the first line of said section it shall read "five."

§ 2. This act shall take effect and be in force from and after its publication.

Approved March 28, 1854.

Chap. 30.

AN ACT *concerning elections.*

Published, March 30, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. At any election for county judge, judge of the circuit court, or justice of the supreme court, a poll may be opened at any place duly designated therefor, according to the statutes of this state regulating general elections, and the votes given at such poll shall be canvassed and return thereof made in like manner as at the general election for county and state officers; any law to the contrary notwithstanding.

§ 2. This act shall take effect from its passage and publication.

Approved, March 11, 1854.

Chap. 31.

AN ACT *concerning judgments and executions issued thereon in the County Courts.*

Published, March 30, 1854.

The people of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

§ 1. The provisions of sections one hundred and eighteen, one hundred and nineteen, one hundred and twenty and one hundred and twenty-one, of chapter one hundred and two of the revised statutes, (sections 118, 119, 120 and 121, of chapter 102,) shall apply in all cases to judgments and writs of executions and all other proceedings

in the county courts, as fully and to all intents and purposes whatever, as to judgments, writs of executions, and proceedings in the circuit courts; any law to the contrary notwithstanding.

§ 2. This act shall be published and take effect upon its passage.

Approved, March 11, 1854.

Chap. 32.

AN ACT *to appropriate money for the construction of the South Wing of the State Prison, to authorize further letting of contracts, and to provide for rewarding convicts.*

Published, March 30, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Appropriation.

§ 1. The sum of twenty-five thousand dollars is hereby appropriated out of any money in the state treasury not otherwise appropriated, for the construction of the south wing of the state prison, to be drawn and paid to the contractors as hereinafter provided.

Work let to lowest bidder.

§ 2. The state prison commissioner is hereby required to proceed to let to the lowest and best bidder the work which is not already under contract for the completion of the south wing of the state prison, to be made fireproof, by advertising at least fifteen days in the Madison Argus and Democrat, and the Milwaukee Sentinel, and Wisconsin, requiring the bidders to offer a certain price per day for all the convict labor at the disposal of the state, to be used on said work, and requiring the work to be finished on or before the first day of January, A. D. 1855; the bidders or contractors to be required to give good and sufficient sureties.

§ 3. It shall be the duty of the state prison commissioner, on the last Tuesday of March, 1854, and upon the

same day of each and every alternate month thereafter, to estimate the amount of labor done, and material furnished by the contractor or contractors towards the building of the south wing of the state prison, and he shall thereupon make certified statements of the same, one copy of which shall be given to the contractors, one retained and filed with said commissioner, and one transmitted to the governor, to be filed in the executive department, which certificates shall specify fully the kind and quantity of labor done, the price and value of the same as provided by the contracts, and the kind and quantity of material furnished, the price and value of the same as agreed upon in the contracts; from which amount shall be deducted the amount then due the state by the terms of such contracts, for convict and other labor and material furnished, and from the balance shall be deducted twenty per cent. of each estimate to be retained by the state as security, until the completion of the work, at which time the said twenty per cent. shall be due and payable, as herein provided for other payments.

Duty of State Prison Commissioner to estimate amount of work done.

§ 4. The governor shall within thirty days after the presentation or receipt of the estimates of the commissioner aforesaid, draw his warrant upon the state treasurer for the amount thereof due, as above provided, and pay the same to the contractors. *Provided*, That the said appropriation shall be paid to the contractors *pro rata*, in proportion to the aggregate amount of their contracts as estimated by the state prison commissioner; *And provided further*, That no more shall be paid to said contractors than appears to be due upon their estimates, after all the deductions are made, which are provided for by section three of this act.

Governor to draw warrant on State Treasurer.

Provisoes.

§ 5. All material and labor for the use of said building shall become the property of the state as soon as estimated, and shall be in the care and control of the state prison commissioner, who shall require the same to be used by said contractors for the use of said building, and for no other purpose.

Material and labor to become the property of the state.

§ 6. The said contractors are hereby authorized to offer a reward, through the commissioner, to convicts, for work which they may be willing to do over an amount that the said contractors may be willing to accept of the state as a day's work, and it shall be the duty of the state prison commissioner to receive any such money and credit the

Rewards for over work.

amount to the several convicts to whom it may belong, on a book kept for that purpose, which amount he shall pay over to each convict at the expiration of his term of confinement, or remit the same to their families or friends if they desire to have it done, and in case there shall remain in the commissioner's hands at the expiration of his term of office any money or moneys which is the property of convicts, the said commissioner shall pay such money or moneys to his successor, whose duty it shall be to keep and disburse the same as hereinbefore provided, and the said commissioner and his sureties shall be held accountable for moneys so received in the same manner that they would be, provided the said money was the property of the state, but in no case shall the said commissioner pay any money to convicts during their time of confinement.

Commissioner not to pay money to convicts during time of confinement.

Approved, March 11, 1854.

Chap. 33.

AN ACT *to amend Chapter* 128 *of the Revised Statutes.*

Published, April 8, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. That whenever judgments shall be entered against insolvent debtors pursuant to section twenty-one of chapter one hundred and twenty-eight of the revised statutes, the state tax thereon shall not exceed on all of such judgments the sum of one dollar, and the clerk's fees on such judgments and discharging the same pursuant to said chapter shall not exceed five dollars.

State tax shall not exceed $1 on such judgment.

§ 2. This act shall take effect and be in force from and after its passage.

Approved, March 16, 1854.

Chap. 34.

AN ACT *to prohibit the circulation of unauthorized Bank Paper.*

Published, March 23, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Unauthorized bank paper prohibited.

§ 1. No person or persons shall issue, pay out, or pass, and no body corporate shall issue, pay out or pass, or receive in this state as money. or as an equivalent for money, any promissory note, draft, order, bill of exchange, certificate of deposite, or other paper of any form whatever, in the similitude of bank paper, circulating as money or banking currency, that is not at the time of such issuing, paying out, passing, or receiving, expressly authorized by some positive law of the United States, or of some state of the United States, or of Canada, and redeemable in current gold and silver coin at the place where it purports to have been issued.

Penalty for violating the prohibition.

§ 2. Any person who shall knowingly violate the provisions of the first section of this act, shall be deemed guilty of a misdemeanor, and shall upon conviction be punished by a fine of not less than ten nor more than one hundred dollars, or by imprisonment in the county jail for a term of not less than one nor more than six months, or by such fine and imprisonment in the discretion of the court.

Penalties for violation of this act by bodies corporate.

§ 3. Any body corporate that shall violate any of the provisions contained in the first section of this act, shall forfeit all the rights, privileges, and franchises conferred by the charter of such body corporate, and shall also forfeit and pay for every such violation, for the use of the school fund of this state, the sum of five hundred dollars, to be recovered as an action of debt in any court of competent jurisdiction, in the name of the state of Wisconsin, on the relation of any person who may forfeit to and shall prosecute for the same; and any person being an officer, director, stockholder, or agent of such body corporate, who

shall in the name of such corporation, or otherwise violate any of the provisions of said first section, shall be subject to all the pains and penalties prescribed in the second section of this act, the same as if said violation had been committed in his individual capacity; and any such offence committed by any person named in this section may be prosecuted in any county of this state, where any of said paper may be found circulating.

Jurisdiction to try causes.

§ 4. Justices of the peace shall have full power and concurrent jurisdiction with the circuit court, to hear, try, and determine all misdemeanors arising under the provisions of this act, upon complaint on oath for that purpose made, by any person in the same manner, and with the same privilege of trial by jury to the accused, as provided in chapter eighty-nine of the revised statutes of Wisconsin.

Contracts—when void.

§ 5. All contracts that shall be made or entered into, of any kind whatever, the consideration of which, in whole or in part, shall consist of any such paper as is prohibited by this act, and all payments made in such unauthorized paper, are hereby declared null and void, and of no effect.

Act of 1853 repealed.

§ 6. An act entitled an act to prohibit the circulation of unauthorized bank paper, of the session laws of the year of our Lord one thousand eight hundred and fifty-three, approved April 2, 1853, and printed as chapter sixty-nine, is hereby repealed.

§ 7. This act shall be printed in the Daily Argus and Democrat and in the Daily State Journal, printed in Madison, in this state, immediately after the passage thereof, and when so printed shall take effect and be in full force.

Approved, March 16, 1854.

Chap. 35.

AN ACT *to divide the county of LaCrosse and organize the county of Monroe.*

Published, March 24, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. All that portion of the county of LaCrosse situate and lying west of the main channel of the Trempe a l'eau river, is hereby set off from the county of LaCrosse and attached to and hereafter shall constitute and be a part of the county of Buffalo. Portion set off.

§ 2. All that portion of the county of LaCrosse situate and being in range one east, and ranges one, two, three, and four west of townships fifteen, sixteen, seventeen and eighteen, is hereby set off and organized into a separate county, to be known and designated by the name of the county of Monroe. Portion organized.

§ 3. There shall be an election held in the said county of Monroe, on the first Tuesday of April next, and polls shall be opened at all precincts established on or before the first Tuesday of April next, shall be canvassed and return made thereof to the clerk of the board of supervisors of the town of Leon, who shall proceed to canvass the same as prescribed by law for the canvass of votes the same as prescribed by law for the canvass of votes for county officers, and shall issue certificates to such persons as shall receive the greatest number of votes for the offices respectively for town and county officers. There shall be elected at such election a county judge, who shall hold his office until the first day of January, in the year one thousand eight hundred and fifty-eight, and until his successor is elected and qualified. There shall also be elected three town supervisors, one to be designated as chairman of the board, who shall also be the board of county supervisors. Such electors shall also elect a sheriff, clerk of the circuit court, clerk of the board of county supervisors, register of deeds, surveyor, and coro- First election. Officers elected.

ner, and all other county officers required for the due organization of a county for county and judicial purposes.

County Supervisors. § 4. The county of Monroe shall constitute one town, and the board of supervisors shall be the board of county supervisors. Said board of county supervisors shall have power to divide the county into three or more towns, at any regular meeting of said board.

County seat. § 5. The county seat shall be located at the village of Sparta, in the town of Leon.

Writs, processes &c. where and how prosecuted. § 6. All writs, processes, appeals, suits, indictments, recognizances, and other proceedings whatsoever, now pending, or that shall be hereafter commenced, or pending before the Monday next after the first Tuesday of April next, in the county or circuit court of the county of La Crosse, shall be prosecuted to a final judgment, order, or decree, and execution may issue thereon; and such judgment, order or decree, may be carried into effect and enforced in like manner as if the counties of LaCrosse and Monroe were still but one county; and all executions, writs, process, or other proceeding, may be directed and carried into execution and effect as such court shall direct, any law to the contrary notwithstanding.

Approved, March 21, 1854.

Chap. 36.

AN ACT *concerning the election of Judges.*

Published March 23, 1854.

The people of the State of Wisconsin represented in Senate and Assembly do enact as follows:

Election for judges, &c. § 1. Hereafter all elections for judges of the county and circuit courts, and for justices of the supreme court, shall be held on the day of holding the annual town meetings in the several towns in this state unless special provision is otherwise made for the first election of a county

To apply to cities or circuit judge. The provisions of this section shall apply to cities. And hereafter the secretary of state, shall give at least twenty days notice of all judicial elections that may be about to take place; and if the election is for county judge, the notice shall be given in the county;

if for circuit judge, in the circuit; and if for justice of the supreme court in the state at large; *Provided*, That no notice shall be required to be given of the election of circuit judge of the third circuit in April next.

When election held in counties where no judge has been heretofore elected.

§ 2. In counties and circuits where no judge has been heretofore elected, the first election (unless within the exception contained in the first section of this act) for judge shall be held on the first annual town meeting day after the taking effect of the law providing for such first election and of this act.

Manner of proceeding in case of vacancy.

§ 3. In all cases of vacancy, the election for judge or judges, justice or justices of the courts hereinbefore mentioned, shall be held on the first annual town meeting, day next after the vacancy shall happen, in case such vacancy shall happen twenty days before said annual town meeting day; and if no election shall then be held for such purpose, then, and in such case, and all other cases, the election shall be held on the annual town meeting day, until a judge or judges, justice or justices, shall, as occasion requires, be elected.

When term of office about to expire—Proceedings in that case.

§ 4. In all cases where the term of office of a judge or justice is about to expire, the election for such judge or justice shall be held on the annual town meeting day next prior to the time of the expiration of such term of office as fixed by law; and in case no such election is held, then such election shall be held on the annual town meeting day or on some subsequent annual town meeting day next after the expiration of such term of office.

Vote when challenged.

§ 5. Any male white person, or persons of Indian descent, offering to vote for county judge, circuit judge or justice of the supreme court, who shall be challenged as unqualified to vote for such officer by an inspector, or by any other person entitled to vote for state officers of this state, then, and in such case, some one of the board of inspectors shall declare to the person so challenged the qualification of an elector as provided in the constitution of this state. If therefore such person shall state that he is duly qualified, and the challenge shall not be withdrawn one of the inspectors shall tender to the person so challenged the following oath: "You do solemnly swear, (or affirm, as the case may be,) that you are twenty-one years of age; that you are a citizen of the United States, (or that you are of foreign birth, and that you have declared your intentions to become a citizen conformably to the

Form of oath.

laws of the United States on the subject of naturalization,) (or that you are of Indian blood, and that you have been declared by law of Congress to be a citizen of the United States, or that you are a civilized person of Indian descent, and not a member of any tribe,) that you have resided one year in the state, next preceding this election; that you have not voted at this election, and that you have not made any bet or wager, or become directly or indirectly interested in any bet or wager, depending upon the result of this election."

Penalty for voting illegally.

§ 6. If any person shall vote for a county judge, circuit judge, or justice of the supreme court, who is not at the time by law entitled to vote for state officers in this state, he shall forfeit therefor the sum of fifty dollars, to be recovered in an action of debt in the name of any person who will prosecute therefor.

§ 7. Any person, whether qualified or not qualified to vote for state officers of this state, who shall vote for a judge of the circuit court out of the circuit in which he resides, or who shall vote for a judge of the county court out of the county in which he resides, shall forfeit for every such offence or act the sum of fifty dollars, to be recovered in an action of debt in the name of any person who will prosecute therefor.

§ 8. Every person who shall vote more than once at any election for any of the aforesaid judges or justices, shall forfeit for every such act the sum of two hundred dollars, to be recovered in an action of debt in the name of any person who will prosecute therefor.

Laws relative to elections.

§ 9. All laws relative to elections now in force, and which are not inconsistent with the provisions of this act or repugnant thereto, shall govern the action of all officers in holding and conducting elections, and in canvassing and certifying the votes cast under the provisions of this act, and in stating and certifying the result of elections held as by this act declared.

§ 10. All laws contrary to the provisions of this act, or repugnant thereto, and not hereby preserved, are hereby repealed.

§ 11. This act shall be printed by the state printer, immediately after its passage, and when so published shall take effect and be in full force.

Approved, March 22, 1854.

Chap. 37.

AN ACT *to appropriate to John N. Jones, Post Master at Madison, a certain sum of money, and to authorize the Secretary of State to audit the further account of said Post Master for Postage.*

Published, April 1, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. There is hereby appropriated to John N. Jones, post master at Madison, three thousand five hundred and eighty-three dollars and sixty-nine cents, ($3,583 69,) in full for postage of members of the senate and assembly from January twelfth to March eleventh, in the year 1854, inclusive, to be paid out of the state treasury, out of any moneys not otherwise appropriated. Appropriation.

§ 2. It shall be the duty of the secretary of state to audit any further account of said post master, for the present session of the legislature, and when so audited and allowed, it shall be paid by the state treasurer on the order of the secretary of state, out of any money not otherwise appropriated. Sec. of State to audit account.

§ 3. This act shall take effect and be in force from and after its passage.

Approved, March 22, 1854.

Chap. 38.

AN ACT *concerning issues of fact in the Supreme Court.*

Published, March 31, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. The supreme court may order a jury in said court to consist of twelve men qualified to act as jurors in the circuit courts of this state, to come from any one or more May order jury.

counties, in all cases commenced in said supreme court either for the trial of an issue of fact therein joined or for the assessment of damages, or both, and in such order the court shall award a *venire* and fix the return day thereof and direct the same to such sheriff as the court in its discretion shall think fit. The name of the jurors shall be contained in the *venire*, and shall be obtained, struck from thirty-six names, and summoned, and the same proceedings had in all respects as to manner and form, as now provided by law for obtaining a jury in the county courts in this state, except so far as such provisions may be in conflict with the other provisions of this act.

Court shall order venire.

§ 2. The foregoing section shall not apply to cases of mandamus or writs of prohibition in the supreme court, but when in any such case an issue of fact shall be joined it shall be the duty of the supreme court to the circuit court for the county within which the material facts relative to such issue shall be alleged to have taken place, and shall be tried in such court in the same manner as other issues of fact are tried and returns shall be made thereupon, as directed by the supreme court.

Duty of court where issue of fact is joined.

§ 3. This act shall be printed by the state printer immediately after the passage thereof, and when so printed shall take effect and be in full force.

Approved, March 23, 1854.

Chap. 39.

AN ACT *concerning Suits in certain cases.*

Published, March 8, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. Any person or persons, body or bodies, having any debt, claim, or demand not sounding in tort against any foreign corporation or corporations created by or under the laws of any state government or country other than

Suits—against whom maintained.

this state, or against any one excepting corporations so as aforesaid created, but which has in whole or in part ceased to act as a body corporate from any cause whatever, such person or persons, body or bodies, may commence, maintain, and prosecute to final judgment, any appropriate action, and may enforce satisfaction of such debt, claim, or demand, out of any moneys, credits, effects, or property lying or being in this state and belonging to or owned by or in which any such corporation has an interest, or which would belong to or be owned by, or in which any such corporation has or would have an interest had the same not ceased to act as aforesaid, whether held, managed, or controlled by such corporation, or by a trustee or trustees, assignee or assignees, agent or agents, for the use and benefit in whole or in part, of such corporation or the creditors thereof, or for the use and benefit of both such corporation and creditors, however created, made, constituted, or appointed.

Institution of suit.

§ 2. The owner or owners of any such debt, claim, or demand, as aforesaid, may institute a suit for the recovery and enforcement of satisfaction thereof, by suing out of any circuit court of this state a writ of summons or attachment. The plaintiff or plaintiffs in all suits for the recovery of any such debt, claim, or demand as aforesaid, shall to the extent of the final recovery on such suits, in all cases have a lien by virtue of such suit upon all moneys, credits, effects, property and interest aforesaid, from the time an appearance to the action shall be or has been entered, by or on the part of the defendant, (which shall be such corporation by its corporate name,) unless such corporation or some one on its behalf, shall make to such plaintiff a bond in the penal sum of double the amount claimed to be due, executed by two or more sureties resident free holders of this state, who shall swear that they are each worth of real estate lying in this state and liable to execution, at least one-half of the penal sum therein named, over and above all debts and legal liabilities, which bond shall be conditioned to pay and satisfy the final judgment that may be rendered in favor of such plaintiff or plaintiffs, for debt or damages or for both damages and costs, within sixty days from the rendition of such judgment. The provisions of this section shall in no case effect or invalidate any lien created or acquired by the execution or extending a writ of attachment upon any mon-

Lien.

Not to effect any lien created by execution &c., on any property.

eys, credits, effects, property, or interest aforesaid, until such bond as aforesaid shall be filed with the clerk of, and be approved by the court in which the suit is pending. The judgment rendered in any such suit as aforesaid shall be a lien as in other cases, from the time of the rendition thereof.

Duty of officer to whom writ is directed.

§ 3. In all suits of attachment issued under the provisions of this act, the officers to whom the same is directed shall be commanded to attach the moneys, credits, effects, and property lying or being in this state, and belonging to or owned by or in which (naming the corporation,) has an interest, or which would belong to or be owned by, or in which (naming the corporation,) has or would have an interest, had the same not ceased to act as such corporation, or so much thereof as will satisfy the plaintiff's demand with costs, whether held, managed, or controlled by such corporation or by a trustee or trustees, assignee or assignees, agent or agents, for the use and benefit, in whole or in part, of such corporation or the creditors thereof, or for the use and benefit of both such corporation and creditors, however created, made, constituted, or appointed, and also to summon (naming the corporation,) to appear and answer to the plaintiff or plaintiffs in a plea of trespass on the case.

Writs—how served.

§ 4. Writs of summons and attachment as to the mandate to summon, may be served upon any officer of any such corporation as aforesaid, or upon any trustee, assignee, or agent aforesaid; and such service shall be as binding and effectual as personal service in suits between individuals in other cases.

To be like writs in other cases.

§ 5. The writs issued under this act shall conform as near as may be to the like writs in other cases, except in so far as is otherwise in this act provided.

All provisions of law to apply to suits commenced, &c.

§ 6. From the issuing of the writ under this act to final judgment and satisfaction, all the provisions of law shall apply to sales commenced or to be prosecuted under this act, so far as the same are consistent with and not repugnant to the provisions of this act, and no further.

Suits continued.

§ 7. All actions or suits heretofore commenced under the act entitled "an act concerning a writ of attachment, approved July 12, 1853," and printed or published as chapter 106 of the session laws of the year last aforesaid, shall be continued and proceeded with to final judgment and satisfaction, and shall be governed hereafter by the

provisions of this act, and the aforesaid chapter one hundred and six of the laws of the year last aforesaid, is hereby repealed, but the repeal aforesaid shall not effect or divest any right or lien accrued or acquired thereunder.

§ 8. This act shall be printed by the state printer immediately after the passage thereof, and when so published shall take effect and be in full force.

Approved, March 23, 1854.

Chap. 40.

AN ACT *for the encouragement of Agriculture and its kindred Arts in this State.*

Published, March 29, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. There is hereby annually appropriated, until the legislature shall by law otherwise direct, to the Wisconsin State Agricultural Society, the sum of three thousand dollars, to be expended by said society in such manner as it may deem best calculated to promote and improve the condition of agriculture, horticulture, and the mechanical, manufacturing, and household arts in this state, either for the payment of premiums at the annual cattle shows and fairs of the society, or in the purchase and distribution of choice seeds, cuttings, plants, or tubors which have been tested and found adapted to the soil and climate of this state, or in the prosecution of scientific investigations and experiments, and the collection and diffusion of information tending to develope the natural and agricultural resources of Wisconsin: *Provided*, That no part of the sums of money hereby appropriated shall be applied

Appropriation.

How expended.

Proviso.

either directly or indirectly to the payment of any salaries or fees of any of the officers of said society.

Accurate account of expenditures to be kept.

§ 2. It shall be the duty of the executive committee of said Wisconsin State Agricultural Society, to keep an accurate account of the manner of expenditure of the said sums of money hereby appropriated, and transmit the same, together with the vouchers therefor, to the governor of this state, in the month of January in each year, to be by him laid before the legislature.

Duty of executive committee.

§ 3. It shall also be the duty of the said executive committee of the Wisconsin State Agricultural Society, to collect, arrange, and collate all the information in their power in relation to the nature, origin, and preparation of soils, the cultivation and growth of crops, the breeding and management of stock, the application and character of manures and fertilizers, the introduction of new cereal and other grains, and other agricultural subjects, and report the same, together with a statement of their own proceedings, to the governor of this state, in the month of January in each year, to be by him laid before the legislature.

Time of paying appropriation.

§ 4. The sums of money hereby appropriated shall be paid to the treasurer of said society in the month of February in each year, upon the order of the president and secretary of said society. *Provided*, That in the present year the same shall be paid immediately after the passage of this act.

Proviso.

§ 5. This act shall take effect and be in force from and after its passage; and an act entitled "an act for the encouragement of agriculture and its kindred arts in this state," approved April 2, 1853, is hereby repealed.

§ 6. The fifth section of an act entitled "an act to incorporate the Wisconsin State Agricultural Society," approved February 9, 1853, is hereby repealed.

Approved, March 23, 1854.

Chap. 41.

AN ACT *concerning the terms of office of Judges of the several courts of this State.*

Published, March 30, 1854.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

When terms shall commence.

§ 1. The term of office of county judges, circuit judges and justices of the supreme court, shall be for such time as at present prescribed by law, and shall commence on the first Monday of each year, next after the election of such officer, unless otherwise specially provided.

§ 2. This act shall take effect from and after the passage and publication thereof.

Approved, March 23, 1854.

Chap. 42.

AN ACT *to amend chapter* 119 *of the Revised Statutes of this State.*

Published, March 28, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Act amended.

§ 1. Section thirty-three of chapter one hundred and nineteen of the revised statutes, is hereby so amended as to read as follows: The defendant, whenever he shall be entitled to return of the property replevied, instead of taking judgment for such return, as in said chapter provided, may take judgment for the value of his interest in the property replevied, in which case the value of such

interest shall be assessed by the jury on the trial, or by a writ of enquiry, as the case may require.

§ 2. Section thirty-five of the chapter aforesaid, is hereby amended and the same shall be as follows:

When more than one party is interested in property replevined.

Whenever upon the trial of any action of replevin, it shall appear that one party has any interest in, or a lien or claim upon the property in question, or a part thereof to a part of its value only, and that the title or right of the property, subject to such interest, lien or claim shall be in the other party, then and in such case, the verdict and judgment shall be according to the rights of the parties, respectively.

§ 3. Section thirty-six of said chapter is hereby amended, and the same shall be as follows:

Jury in certain cases.

Whenever in an action of replevin, there shall be no trial upon an issue of fact, but it shall be suggested to the court, that one party has an interest in or a lien or claim upon the property in question, or a part thereof, to a part of its value only, and that the title or right of the property, subject to such interest, lien, or claim, shall be in the other party, then and in such case, the court shall empannel and swear a jury to inquire into the facts so suggested; and if the jury shall find the facts thus suggested in whole or in part only, their verdict shall be rendered accordingly, and judgment shall be rendered according to the rights of the parties respectively, as found by such jury.

Sections repealed.

§ 4. Sections thirty-five and thirty-six of chapter one hundred and nineteen of the revised statutes, and any and every law of this state, repugnant to or inconsistent with the provisions of this act, are hereby repealed.

§ 5. This act shall be printed by the state printer immediately after the passage thereof, and when so published shall take effect and be in full force.

Approved, March 23, 1854.

Chap. 43.

AN ACT *concerning Pleadings in certain cases.*

Published, April 10, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. In all actions founded upon contract express or implied, not under seal, and not depending upon condition or contingency before any portion of the sum claimed would or has become due; it shall not be necessary to declare specially, but it shall be sufficient for the party plaintiff to declare in the common money counts, and with such declaration to file a bill of particulars, setting forth therein in brief language, the subject matter upon which the action is based.

§ 2. This act shall be printed by the state printer immediately after the passage thereof, and when so published shall take effect and be in full force.

Approved, March 23, 1854.

Chap. 44.

AN ACT *to amend section thirty-three of Chapter sixteen of the Revised Statutes.*

Published March 29, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. Every person intending to pay any highway tax, assessed against him, or any part thereof in labor, and who shall, upon the notice required to be given by the overseer, appear and work agreeably to the dirction of

such overseer, shall be credited on his tax one dollar for every day he shall actually work eight hours on such highway, and fifty cents a day for every wagon, or plow, and seventy-five cents for each yoke of oxen, and one dollar twenty-five cents for each span of horses he shall furnish agreeably to the requirements of said overseer.

§ 2. So much of section thirty-three of chapter sixteen of the revised statutes as conflicts with the provisions of this act, is hereby repealed.

Approved, March 23, 1854.

Chap. 45.

AN ACT *to regulate the weight and measure of Flax Seed, Timothy Seed, and Potatoes.*

Published, March 31, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. Whenever flax seed, timothy seed, or potatoes shall be sold by the bushel, and no special agreement as to the measure or weight thereof shall be made by the parties, the measure thereof shall be ascertained by weight, and shall be computed as follows:

Fifty-six pounds for a bushel of flax seed; forty-six pounds for a bushel of timothy seed; and sixty pounds for a bushel of potatoes.

§ 2. This act shall take effect and be in force from and after its passage.

Approved, March 25, 1854.

Chap. 46.

AN ACT *to amend an act entitled "an act to divide the county of LaCrosse and organize the county of Monroe."*

Published, April 3, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. The act to which this act is amendatory shall take effect and be in force from and after its passage.

§ 2. This act shall take effect and be in force from and after its passage.

Approved, March 25, 1854.

Chap. 47.

AN ACT *to amend section* 3 *of chapter* 504 *of the Session Laws of* 1852.

Published, March 31, 1854.

The people of the State of Wisconsin represented in Senate and Assembly do enact as follows:

§ 1. Section three of chapter five hundred and four of the session laws of 1852, relating to printing, is hereby amended so as to read as follows:

Section 3. The advertisement shall require specifications in said bid, as follows: for all classes except blanks, the price of composition per 1000 ems; the price per token for press work; the price per quire of all paper used, specifying the size and quality thereof, and the price of

Specifications in bids for printing.

folding, stitching, and binding the same, in paste board covers, with sheep skin corners and backs; and for blanks, the price per quire, the contractor furnishing the paper and material for the same.

§ 2. This act shall take effect from and after its passage.

Approved, March 25, 1854.

Chap. 48.

AN ACT *to restore the provisions of section five of chapter* 148 *of the Revised Statutes, an act entitled an act of trials in criminal causes, to all causes of indictment for murder.*

Published, March 28, 1854.

The people of the State of Wisconsin represented in Senate and Assembly do enact as follows:

§ 1. Section five of chapter one hundred and forty-eight of the revised statutes, is hereby amended so as to read as follows: Any person who is put on trial for an offence which would have been punishable with death, before the punishment of death was abolished by the passage of chapter one hundred and three of the general acts passed by the legislature of Wisconsin in the year eighteen hundred and fifty-three, shall be allowed to challenge peremptorily twenty-four of the persons returned as jurors, and no more; and the prosecution shall be entitled to six peremptory challenges, and no more.

§ 2. All acts and parts of acts conflicting with the provisions of this act are hereby repealed.

§ 3. This act shall take effect and be in force from and after its passage.

Approved, March 25, 1854.

Chap. 49.

AN ACT *concerning evidence in Insurance cases.*

Published, April 13, 1854.

The people of the State of Wisconsin represented in Senate and Assembly do enact as follows:

Evidence of assessment.

§ 1. Whenever an assessment is made on any premium note given to any mutual insurance company for any hazard taken by said company, or as a consideration for any policy of insurance issued or to be issued by said company, and action is brought for the recovery of such assessment, the certificate of the secretary of said company specifying such assesssment and the amount due to said company on such note, by means thereof, shall be taken and received as *prima facie* evidence thereof in all courts and places whatsoever.

Evidence of incorporation of company.

§ 2. A copy of the certificate of organization or of the articles of association of any incorporated company filed with the secretary of state in pursuance of any law of this state, duly certified, unless under the hand and seal of the secretary of state, shall be *prima facie* evidence of the incorporation of said company in all courts and places.

§ 3. This act shall take effect and be in force from and after its passage.

Approved, March 28, 1854.

Chap. 50.

AN ACT *to appropriate certain sums of money to the Wisconsin Institute for the Education of the Deaf and Dumb.*

Published, April 27, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Appropriations.

§ 1. There is hereby appropriated to the Wisconsin Institute for the Education of the Deaf and Dumb the sum of two thousand dollars for the support of said institute

during the current year, and the sum of two thousand dollars for the erection of out buildings, fences and other needful fixtures, all of which shall be paid out of any money in the treasury not otherwise appropriated.

Further appropriation—

§ 2. There is hereby appropriated to the said Institute, the further sum of five thousand dollars for the erection of the east transverse wing of the Institute building according to the plan heretofore delivered to the Governor; one half of which shall be paid the present year, and one-half in the year eighteen hundred and fifty-five, out of any money in the treasury not otherwise appropriated.

B'd. of trustees, to give bonds.

§ 3. Before the receipt of the respective sums of money appropriated by this act, the board of trustees of said Institute, shall from time to time execute such bonds, and with such sureties as the Governor may require and approve, conditioned for the faithful application of such money to the objects specified in this act.

§ 4. This act shall take effect from and after its passage.

Approved, March 29, 1854.

Chap. 51.

AN ACT *to authorize the Secretary of State to audit certain accounts.*

Published, April 14, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Audit newspaper accounts.

§ 1. The secretary of state or his deputy is hereby authorized and required to audit the accounts of the several newspaper publishers of this state, for newspapers furnished the legislature during the present session, and also such other printed matter furnished in conformity with resolutions passed by the senate and assembly, or both, and to settle such accounts, allowing said publishers not exceeding the advertised rates of such papers by the year,

and for printing in the German and Norwegian languages at 40 cents per 1000 ems for composition, and fifty cents per token for press work, and for folding, stitching, and binding, five cents per volume or copy. But nothing shall be paid for translation, and no account shall be audited for which in whole or in part an appropriation has been made.

Accounts to be verified by oath of publishers.

§ 2. Such accounts shall be verified to the secretary by the oath of such publishers, setting forth the names of persons to whom newspapers have been furnished, and the number so furnished to each, that the amount claimed for newspapers does not exceed the same rate at which said papers are furnished to regular subscribers at the office of publication, and that the account for printing in the German and Norwegian languages, folding, stitching, and binding, is strictly in accordance with the provisions of section one of this act relating to the same.

Secretary to draw warrants on treasurer.

§ 3. The secretary of state or his deputy is authorized to draw warrants on the state treasurer in favor of the respective publishers for the amounts found due them, and there is hereby appropriated out of any moneys in the treasury not otherwise appropriated, a sum sufficient to pay said drafts.

Wrappers.

§ 4. A sum not exceeding thirty cents per hundred for wrappers, when the publishers shall swear that the same have been furnished, may be allowed by the secretary of state or his deputy, and shall be included in the amount allowed, and paid for in the same manner as is by this act provided for the payment of newspapers and other printed matter furnished the senate and assembly.

Approved, March 30, 1854.

Chap. 52.

AN ACT *to provide for the issuing of executions for damages and costs in the Supreme Court.*

Published, April 13, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Taxing costs.

§ 1. That hereafter, on the rendition of judgment in the supreme court of the state for costs on writs of error or appeals in chancery, or on the rendition of judgment in said court for damages and costs on appeals in chancery, it shall be the duty of the clerk of said court, to tax the costs on such judgment as soon as may be, by the rules of said court, including in such taxation the costs of both parties, and upon request of the party obtaining such judgment, or his or her counsel or attorney, to issue execution, returnable in ninety days from the date of the issue against the other party, for all of said costs so taxed or for damages and all of said costs, if damages may have been adjudged.

Duties of Sheriff.

§ 2. The said execution shall be in favor of the said party obtaining judgment as plaintiffs in execution, and against the other party as defendant or defendants in execution; and may be directed to the sheriff of any county in this state, at the discretion of said plaintiff or plaintiffs, or his, her, or their counsel or attorney. And it shall be the duty of any sheriff receiving such execution, to proceed forthwith to collect the same, as is now directed by law, and after the collection thereof or any part, the said sheriff shall forthwith pay the said costs over to the officers respectively entitled thereto as designated in the said taxation of costs; and as a discretion to said sheriff, the said clerk of the supreme court shall, in every instance, send with the execution issued by him a copy of said tax bill of costs. If only a part of said costs is collected, then the said sheriff shall pay pro-rata to said officers. If damages are embraced in any such execution, the same, when collected shall be paid over to the said plaintiff or plaintiffs in ex-

ecution, his, her or their counsel or attorney. When the said damages and costs, or costs only, are collected and paid over as herein directed, the said clerk shall enter satisfaction of said execution on the execution docket in his office. Clerk to send copy of tax bill of costs with execution.

§ 3. This act shall take effect from and after its passage and publication.

Approved, March 30, 1854.

Chap. 53.

AN ACT *to appropriate certain sums of money to the Wisconsin Institution for the Education of the Blind.*

Published, April 13, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. There is hereby appropriated to the Wisconsin Institution for the Education of the Blind, the sum of three thousand five hundred dollars for the support of said Institute during the current year. Appropriation.

§ 2. There is hereby appropriated to the said institution the further sum of twelve thousand dollars, for the construction of the certain main building of the Institution according to the plan of the same, one half of which shall be paid the present year, the remaining half in the year 1855, out of any money in the Treasury not otherwise appropriated. Further appropriations.

§ 3. Before the receipt of the respective sums of money appropriated by this act, the board of trustees of said Institute shall from time to time execute such bonds, and with such sureties as the Governor may require and approve, conditioned for the faithful application of such moneys to the object specified in this act. Board of trustees to give bonds, &c.

§ 4. This act shall take effect and be in force from and after its passage.

Approved, March 30, 1854.

Chap. 54.

AN ACT *to repeal an act entitled an act to increase the jurisdiction of the Dane County Court, Approved, February* 24, 1854.

Published, April 20, 1854.

Preamble. *Whereas*, It appears by the report of the investigating committee composed of the committees on enrolled bills of the respective houses of the Legislature, that the bill was altered in a material respect, so as to change the tenor and meaning thereof, after and before its passage, and before its enrollment, *Therefore;*

The people of the State of Wisconsin, represented in Senate and Assembly do enact as follows:

Repealed. § 1. An Act, entitled "an act to increase the jurisdiction of the Dane County Court," approved February 24, 1854, is hereby repealed.

§ 2. This act shall take effect from and after its passage and publication.

Approved, March 30, 1854.

Chap. 55.

AN ACT *to amend chapter* 134 *of the Revised Statutes, relative to injuries to personal property.*

Published, April 29, 1854.

The people of the State of Wisconsin represented in Senate and Assembly do enact as follows:

Misdemeanor defined. § 1. Any person who shall wilfully and without authority cut down or destroy, or shall injure by girdling or otherwise, any growing or standing timber or tree upon the private property of any individual or upon any

property held in trust or shall cut any timber or wood upon any such property, or take or carry or haul away therefrom any timber or wood previously cut or severed from such freehold or land, or who shall wilfully and without authority, dig or carry away any mineral, earth or stone from any such freehold or land, shall be deemed guilty of a misdemeanor.

Penalties fixed.

§ 2. Any person who shall be convicted of having committed any such offence in the day time, shall be punished by imprisonment in the common jail of the county, not less than ten days nor more than one year; or by fine not less than ten dollars, nor more than five hundred dollars, together with costs of suit. Any person who shall be convicted of having committed any such offence in the night time, shall be punished by imprisonment in the county jail not less than twenty days, nor more than two years; or by fine not less than twenty dollars, nor more than one thousand dollars, together with costs of suit.—Any person who shall be convicted of having committed in the day time, a second offence, shall be punished by imprisonment in the county jail not less than twenty days nor more than two years; or by fine not less than twenty dollars, nor more than one thousand dollars, together with costs of suit. And if the first conviction be for any such offence committed in the day time, and such second conviction shall be for an offence committed in the night time, or if the first conviction be for an offence committed in the night time, and the second conviction be for an offence committed in the day time, such person upon such second conviction shall be punished by imprisonment in the county jail not less than thirty days nor more than two years, or by fine not less than thirty dollars nor more than one thousand dollars together with the costs of suit; and if such second conviction be for an offence committed in the night time, such person shallbe punished by imprisonment in the county jail not less than forty days, nor more than two years, or by fine not less than fifty dollars, nor more than one thousand dollars, together with costs of suit. Upon all subsequent convictions of such offences, such offender shall be punished by both such fine, costs and imprisonment as last aforesaid.

Persons fined to be committed until its payment.

§ 3. If any person upon conviction of any offence mentioned in this act shall be adjudged to pay a fine, such person shall stand committed to the county jail until such

fine and cost shall be paid, or until he shall be discharged therefrom by due course of law.

§ 4. Section fifty (50) and Sec. (51) of chapter one hundred and thirty-four,(134) of the Revised Statutes are hereby repealed.

§ 5. This act shall be printed immediately after the passage thereof, and when so published shall be in full force and effect.

Approved, March 30, 1854.

Chap. 56.

AN ACT *to authorize the Secretary of State to audit a certain account.*

Published, April 14, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Appropriation.

§ 1. The Secretary of State is hereby authorized and required to audit the account of the person employed to classify, arrange, page, index and title page the original enrolled, private and local acts, resolutions and memorials of the Legislature of the State of Wisconsin, to be bound and preserved in his office. The person so employed shall receive the sum of three dollars a day for the time necessarily devoted to such work, and there is hereby appropriated out of any money in the treasury not otherwise appropriated, a sum sufficient to pay such account.

§ 2. This act shall take effect immediately.

Appproved, March 30, 1854.

Chap. 57.

AN ACT *to provide for the payment of the expenses of compiling the Documentary History of Wisconsin.*

Published, April, 19, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly do enact as follows:

Appropriation—how disbursed.

§ 1. There is hereby appropriated to the Governor of this State the sum of eight hundred dollars out of any money in the state treasury not otherwise appropriated, out of which the Governor is hereby authorized and empowered to pay Wm. R. Smith from time to time, such sums as in his discretion he may think necessary and proper, to defray the expenses of compiling the documentary history of Wisconsin.

§ 2. This act shall take effect and be in force from and after it passage.

Approved, March 30, 1854.

Chap. 58.

AN ACT *relating to the duties of the State Prison Commissioner.*

Published, April 20, 1854.

The people of the State of Wisconsin represented in Senate and Assembly do enact as follows:

Amounts due for extra labor by convicts to be estimated.

§ 1. The State Prison Commissioner is hereby required at the time when he estimates the work due by any contractor on the State Prison, to estimate and ascertain the amount due each convict under any agreement of any contractor to pay for extra labor of convicts as contempla-

ted by the act authorizing the awarding of convicts, &c., approved, March 11th, 1854, and said State Prison Commissioner shall make a certificate under his hand of the amount due said convicts, and each of them, and file one copy of such certificate in the State Prison, to be handed over to his successor in office; one copy in the office of the Secretary of State, and shall give one copy to the contractor from whom the amount is due to convicts. The amount so estimated and found due the convicts, shall be deducted from the estimated sum due the contractor from the State, whenever an estimate is made, and the Governor shall at the same time when he draws his warrant for the payment of any estimate to the contractor, draw his warrant, payable out of the appropriation in the act aforesaid made for the sum due to convicts from such contractor, aforesaid, and pay the same to the State Prison Commissioner, to be applied by him as directed in the act above mentioned.

Such amount to be deducted.

Not to contract for such work as convicts can advantageously do.

§ 2. The act aforesaid, entitled "an act to appropriate money for the construction of the south wing of the State Prison, authorizing further letting of contracts, and to provide for awarding convicts," shall not be so construed as to require the State Prison Commissioner to advertise for, or let contracts for any such work upon the prison, as the commissioner with the labor at his disposal can advantageously do; but the said commissioner may advertise for bids and let contract or contracts for such work as he cannot do advantageously, and for such material not already contracted for, as may be necessary for the completion of said south wing of said state prison. *Provided*, That if at any time, in the opinion of the Governor the interest of the state would be promoted by letting the work by contract to the lowest bidder, provided to be done by the state with convict labor, by this section, he may order the State Prison Commissioner to let the same by contract to the lowest bidder, as provided by the act above referred to, of March 11, 1854.

Proviso.

§ 3. This act shall take effect and be in force from and after its passage.

Approved, March 30, 1854.

Chap. 59.

AN ACT *to provide for a State Lunatic Asylum.*

Published, April 15, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Commissioners appointed.

§ 1. The governor is hereby authorized, and it shall be his duty, to appoint a board of commissioners, consisting of three persons, to select and purchase a suitable tract of land containing not less than one hundred nor more than two hundred acres, for the location of a state lunatic asylum: *Provided*, That if a site for such asylum suitable for that purpose in the opinion of the governor, and containing not less than one hundred acres, shall be donated for that purpose, or can be purchased for a sum not exceeding fifteen hundred dollars, then such asylum shall be located at or in the vicinity of the village of Madison, in Dane county.

Proviso.

Such land to be granted in fee simple.

§ 2. The conveyance of said land shall be to the state of Wisconsin, in fee simple, clear of all incumbrances, and on the execution and delivery of said conveyance, said commissioners being satisfied that no incumbrance exists on said land, shall draw their order on the state treasurer for the amount of the purchase money; which order shall be approved by the governor and countersigned by the secretary of state, and paid by the said treasurer out of any money appropriated by this act, not exceeding fifteen hundred dollars.

Commissioners authorized to erect suitable buildings.

§ 3. The said commissioners are hereby further authorized, with the advice and consent of the governor, to cause to be erected upon the grounds purchased for that purpose, suitable buildings for the use and accommodation of said institution, which shall hereafter be called and known by the name of the Wisconsin State Lunatic Asylum; and also to make such other improvements upon and about the grounds, as they may think expedient and proper.

Plan.

§ 4. Such buildings shall be constructed in accordance with the plan of the Worcester Hospital for the insane,

Proviso. as recommended by the committee in their report to the senate: *Provided*, That said commissioners shall have power to make any alterations therein which they may think necessary, and which will not materially change said plan, or increase the cost of said building.

Vacancies in the board, how filled. § 5. The governor is hereby authorized to fill any vacancy in said board of commissioners, which may occur by reason of death, resignation, or refusal to act, and also to appoint a superintendent of said asylum who shall be a well educated physician, and who shall hold said appointment for the term of three years, and until his successor is appointed and qualified, unless sooner removed by the governor.

Governor to appoint Superintendent.

Superintendent to execute and file a bond. § 6. Such superintendent shall by virtue of his office be secretary of the board of commissioners, and shall before entering upon the duties of his office execute a bond, payable to the state of Wisconsin, in such sum and with such sureties as the governor may require and approve; which bond shall be filed in the office of the secretary of state, and shall be conditioned for a faithful discharge of all the duties required of him by law. It shall be the duty of the said superintendent under the direction of the board of commissioners, to superintend the erection of all buildings and the making of all improvements authorized by law. He shall also collect such information in relation to similar institutions as he may think proper, and lay the same before the board of commissioners.

Notice for sealed proposals for buildings to be published. § 7. As soon as the site for such asylum shall be conveyed to the state, the board of commissioners shall immediately publish a notice in at least six newspapers in this state and for six weeks successively, that sealed proposals will be received by them for furnishing materials and doing the work, for the erection of the asylum building, or such portion thereof as the commissioners may deem it advisable to have erected, specifying in such notice particularly the manner and time of the making and submitting of such proposals, and they shall award contracts for such materials and work to the lowest bidders therefor. With the advice and consent of the governor, they shall determine the time, the manner, and order in which the erection of all the buildings and work contemplated by this act shall be commenced, prosecuted, and completed, and adopt all necessary regulations therefor not inconsistent with this act.

§ 8. Every account for work done, materials furnished, services performed, or expenses incurred in or about such asylum, shall be made out against the Wisconsin State Lunatic Asylum, and shall contain a particular specification of each item thereof, and when so made out shall be filed with the superintendent of said asylum, who shall record the same in a book to be kept for that purpose, after which the same shall be laid before the board of commissioners for their allowance. Upon being satisfied of the correctness of such account, said board shall allow and certify the same to the secretary of state, who shall audit and direct the state treasurer to pay the amount thereof out of the appropriation made by this act, and the state treasurer shall pay the same and take receipts therefor in the same manner other appropriations are paid. Itemized account of expenditures to be kept.

§ 9. The said superintendent is hereby authorized to receive subscriptions and donations for the purposes contemplated by this act. Superintendent may receive subscriptions, &c,

§ 10. The aforesaid commissioners shall serve as such for the term of one year, unless sooner removed by the governor, and before entering upon the duties of their offices shall take an oath to faithfully perform all the duties required of them by this act. They shall hold stated meetings at least once a month, and as much oftener as business shall require, at the office of the superintendent, or such other place as they may appoint. They shall keep a record of their proceedings, and shall report the same to the legislature at the next session thereof, and shall receive two and a half dollars per day, while necessarily employed about the business of said asylum. Commissioners to take an oath. Monthly meetings, &c,

§ 11. The aforesaid superintendent shall receive twelve hundred dollars for the first year's service, and thereafter such sum as the legislature shall designate. Salary of Supt.

§ 12. There is hereby appropriated out of the state treasury the sum of fifteen thousand dollars, for the purpose of defraying the expenses incurred under the provisions of this act.

§ 13. This act shall take effect and be in force from and after its passage and publication.

Approved, March 30, 1854.

Chap. 60.

Published, March 31, 1854.

AN ACT *to increase the jurisdiction of the Milwaukee County Court.*

The people of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

Jurisdiction how increased.

§ 1. The county court of Milwaukee county, in addition to the powers and jurisdiction conferred on the county courts by chap. eighty-six of the revised statutes, shall have and exercise powers and jurisdiction within said county equal to and commensurate with the court of said county of Milwaukee in all civil cases where the amount in controversy shall not exceed the sum of five thousand dollars: *Provided, however*, that nothing herein contained shall be so construed as to confer equity or criminal jurisdiction upon said court.

Proviso.

Parties have same right to writs of error.

§ 2. Parties to causes, shall have the same rights to writs of error from said county court to the supreme court as is now allowed by law from the circuit courts of this state.

Petit jurors.

§ 3. A panel of petit jurors for each term of said court shall be drawn in the same manner as now is or hereafter shall be provided by law for the circuit court of the said county, and the persons serving on such panels of petit jurors shall be paid at the same rate and in the same manner as is now or hereafter shall be provided by law for the payment of petit jurors in the said circuit court of Milwaukee county; and jurors for the trial of issues shall be drawn, empanneled and sworn in the same manner as in the circuit courts of this state, and the said county court shall have, exercise, and use the same process for summoning such petit jurors as is now or may hereafter by law be used by the circuit court of this state.

§ 4. The fees and compensation of the judge of said county court shall be as provided for judges of county courts in chapter one hundred and thirty-one of the revised statutes, except, that for all services in a cause wherein judgment is confessed by defendant, or cause disposed of without a trial on the merits on return of process, he shall receive two dollars; for all services on the trial of a cause without a jury, including the rendition of a judgment three dollars; for all services on the trial of a cause with a jury, including receiving and entering verdict and rendering judgment, or if the jury be discharged and a new trial ordered or a cause otherwise disposed of, three dollars and fifty cents for hearing. Fees of judge.

§ 5. The terms of said court shall be the same as now provided by law for the present county court of Milwaukee county: *Provided, however*, that there shall not be to exceed four regular terms for jury trials in each year, and they may be held in such months in the year as shall be designated from time to time by the judge thereof. *Provided further*, that no jury term of said court shall be held while the circuit court of said county is in session for jury trials. Terms of court. Proviso.

§ 6. The judge of said court shall have the same power to hold special or adjourned terms of his court as is now or hereafter may be conferred upon the circuit court of Milwaukee county. And the said county court shall have the same power to issue special venires and to summon talesman to serve upon juries therein as is now or hereafter may be conferred upon the said circuit court of Milwaukee county. May hold special or adjourned terms.

§ 7. All acts and parts of acts contravening the provisions of this act are hereby repealed.

§ 8. This act shall take effect and be in force from and after its publication.

Approved, March 30, 1854.

Chap. 61.

AN ACT *for the publication of the Documentary History of Wisconsin.*

Published, April 18, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Style of printing, &c.,

§ 1. The governor and secretary of state are hereby appointed commissioners to procure to be published so much of the Documentary History of this state as has been prepared for publication by Wm. R. Smith, in two volumes, on new and suitable type, and on good book paper, bound in the modern style of binding works of state history, with such notes, appendix, and index, as may be prescribed by the person appointed by said committee to superintend such publication. *Provided*, The cost of such publications does not exceed the sum of one dollar and thirty cents, ($1 30,) per volume.

§ 2. This act shall take effect from and after its passage.

Approved March 31, 1854.

Chap. 62.

AN ACT *providing for the appointment of a Bank Register.*

Published, April 19, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Copies of appointment filed.

§ 1. The appointment of bank register shall be made under the hand and seal of the bank comptroller, and a copy of such appointment shall be filed in the executive office and in the office of the secretary of state.

§ 2. The bank register to be appointed by the bank comptroller, in pursuance of this act, shall, before he enters upon the duties of his office, take and subscribe the oath required by the constitution, and shall execute a bond to the state of Wisconsin in the penal sum of fifty thousand dollars, with not less than six sureties, who shall be resident freeholders of this state. Said bond shall be conditioned, approved, and preserved in the executive office in the same manner as is prescribed for the bank comptroller's bond. Must subscribe oath and execute a bond.

§ 3. The said bank register shall perform the duties of book keeper and register, and such other duties as shall be required by the bank comptroller, and shall receive an annual salary of one thousand dollars, to be paid quarterly (as other state officers are paid,) out of the tax paid into the treasury by the banks. Duties of bank register.

§ 4. If any bank register shall violate any of the provisions of an act entitled an act to authorize the business of banking, approved April 19th, 1852, he shall on conviction thereof be deemed guilty of a misdemeanor, and shall be punished by a fine not less than five thousand dollars, or be imprisoned not less than five years in the state prison, or by both such fine and imprisonment. Penalty for violating the provisions of this act.

Approved, March 31, 1854.

Chap. 63.

AN ACT *to provide for procuring a Map of this State with the located lines of all Rail Roads in this State thereon.*

Published, April 27, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. The chairman of the railroad committee of the assembly is hereby authorized to procure to be made a map of this state, with all the new counties thereon, and the surveyed lines of all railroads chartered by this state, Authorized to procure a map.

plainly designated in colors on said map, for the use of the legislature.

Appropriation.

§ 2. There is hereby appropriated to William Hull the sum of two hundred dollars, to be paid out of any money in the treasury not otherwise appropriated, for causing to be made the map, as provided in the first section of this act.

§ 3. This act shall take effect from and after its passage.

Approved, March 31, 1854.

Chap. 64.

AN ACT *in relation to the duties of County Treasurers.*

Published April 20, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

To whom money to be paid.

§ 1. It shall be the duty of each of the county treasurers of this state to pay to the treasurers of the several towns in their respective counties, on demand, all moneys collected by them, whether by sale for taxes or otherwise upon the delinquent tax list of any town. *Provided*, They shall retain in the treasury the amount due from any to the county.

Proviso.

Approved, March 31, 1854.

Chap. 65.

AN ACT *to provide for the appointment of an Assistant Secretary of State and Assistant State Treasurer, and to prescribe their duties.*

Published, March 31, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. The secretary of state and state treasurer shall each have power, in their discretion, to appoint, each for his respective office, and under his hand and official seal, an assistant, who shall take the oath of office prescribed by the constitution, which shall be filed in the office of the governor, and who shall give such bond for the faithful performance of their duties to the officer appointing them, in such penal sum and with such conditions as their respective principals may prescribe; and such assistants may perform and execute all the duties of their respective principals, except as commissioner of the school and university lands, and as member of the board of regents; and for the faithful performance of all their official duties, the officer making such appointments and the sureties on his official bond shall be responsible; and the style of the said assistants shall be respectively, assistant secretary of state, and assistant state treasurer, and the office of deputy secretary of state is hereby declared to be merged in said office of assistant secretary. Duties of assistants.

§ 2. The said assistants shall each receive an annual salary of one thousand dollars, to be paid in the same manner as the salary of state officers, and the sum of two thousand dollars is hereby annually appropriated out of the state treasury to pay the same. Salaries.

§ 3. All acts providing for the appointment of a deputy secretary of state, and fixing the salary of such deputy is hereby repealed; and this act shall take effect from and after its passage.

Approved, March 30, 1854.

Chap. 66.

AN ACT *to amend the several laws of this State relating to the sale of Lands for taxes, and the manner of perfecting tax titles.*

Published April 3, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Acts revived.

§ 1. Section ten of an act entitled an act to amend chapter fifteen of the revised statutes, approved March 31, 1853, entitled, of the assessment and collection of taxes, is hereby repealed; and the sections of the revised statutes and parts thereof, and all acts and parts of acts repealed by said section ten, are hereby revived, re-enacted, and declared to be in full force and effect, and the provisions of the said act, approved March 31, 1853, not repealed by this act, are hereby also declared to be in full force and a cumulative remedy in perfecting the title to lands sold for the non-payment of taxes, and the holder or holders of any certificate of sale of lands sold for the non-payment of any tax or taxes, may at their option foreclose the tax lien created under any such sale, by bill in chancery, as provided by the said act, approved March 31, 1853, or the holder or holders of any such certificate of sale, after the three years for the redemption thereof shall have expired, may perfect the title to the land described in such certificate and sold for the non-payment of taxes and unredeemed, by filing the same with the officer authorized by law to execute deeds of land sold for the non-payment of taxes, who is hereby required to execute, acknowledge, and deliver such deed as provided by law, and when recorded in the office of the register of deeds of the proper county, shall rest in the grantee therein, all right, title, interest, and estate of the former owner or owners in fee in and to the lands so conveyed, and also all the right, title, interest, and claim of the state and county thereto; and the same shall be received as evidence with, and have in all other respects the force and effect in all

Holder of certificate may foreclose or file same with officer authorized to execute deeds at his option.

courts, as is or may be given by law to such deeds executed in pursuance thereof; nor shall the title conveyed by any deed of lands sold for the non-payment of any tax or taxes to the grantee therein, his heirs or assigns, be invalidated, or in any way effected or avoided by any error previously made in assessing, listing, taxing, selling or conveying said land, or in any other proceeding previous to the execution and delivery of such deed.

Section of an act repealed.

§ 2. Section five of an act entitled an act for the quieting of tax titles, approved April 19, 1852, is hereby repealed, and all other provisions of the said act, approved April 19, 1852, are hereby declared to be in full force and effect.

Form prescribed for tax deeds.

§ 3. All deeds of lands sold for the non-payment of taxes hereafter executed, shall be executed by the proper officer authorized by law to execute the same in the name of the state of Wisconsin, and of the proper county or city or incorporated town or village as the grantors therein, and shall be substantially in the following or other equivalent form: (*Provided*, The provisions of this section shall not apply to the foreclosure of tax certificates and liens in chancery, in which cases the court shall prescribe the manner and form of the deed to be made by the officer making the sale,) to wit:

To all to whom these presents shall come, greeting:

Whereas, (or assignee of) has deposited in the office of the clerk of the county board of supervisors of the county of in the state of Wisconsin, a certificate (or certificates) of the (here name the officer making the sale,) of said county, whereby it appears (as the fact is) that the following described piece (or pieces) or parcel (or parcels) of land lying and being situated in the county of to wit: (Here describes the lands) was (or were) for the non-payment of taxes sold by the (here name officer making the sale) at public auction at in the county of on the day of in the year of our Lord one thousand eight hundred and to the said for the sum of dollars and cents, in the whole, which sum was the amount of taxes assessed and due and unpaid on said tract (or several tracts) of land, together with the costs and charges of such sale, due therewith at the time of making such sale, the whole of which sum of money has been paid by the aforesaid purchaser (or purchasers.)

And, whereas, it further appears (as the fact is) that the owner (or owners) or claimant (or claimants) of said lands, has (or have) not redeemed from said sale, the lands which were sold as aforesaid; and said lands are now unredeemed from such sale, whereby said described lands have become forfeited, and the said purchaser, his (or her or their) heirs or assigns is (or are) entitled to a conveyance thereof.

Now, therefore, know all men by these presents, That the county of in said state, and the state of Wisconsin, in consideration of the said sum of money aforesaid, and the premises, and in conformity to law, hath, and hereby doth give, grant, and convey the tract (or several tracts) of land above described, together with the hereditaments and appurtenances to the said , and to his (or her or their) heirs and assigns, to their sole use and benefit forever.

In testimony whereof, I, the (here designate the officer) of the county of , have executed this deed pursuant to, and in virtue of the authority in me vested by the statutes of the state of Wisconsin, and for and on behalf of the said state, and of the county of aforesaid, have hereunto subscribed my name officially, and affixed the seal of the said (name it) at the in said county of this day of in the year of our Lord, one thousand eight hundred and .

[L. S.] A. B.
(here give official designation.)

Done in presence of

Seal.

§ 4. In all cases hereafter when a deed under this act shall be executed by the clerk of "county board of supervisors," or by the clerk of "the board of county supervisors," such deed shall have affixed thereto the seal of such board, as the case may be, which is hereby declared to be the corporate seal of the county.

Tax deeds.

§ 5. In all cases hereafter of conveyance of lands for non-payment of taxes due to any incorporated city or village in this state, under the provisions of the act or acts authorizing such city or village to assess and collect taxes, the deed executed shall conform as near as may be to the above form, shall be executed in the name of the state of Wisconsin, and in the corporate name of such city or village as grantor, and shall be sealed with the corporate seal of such city or village.

§ 6. Deeds of conveyance of lands for non-payment of taxes under the provisions of this act, shall be as valid and effectual to convey the lands therein described, as if the same had been executed by and in the name of the state of Wisconsin, in any manner or form whatever. Deeds thus made, valid as if executed in the name of the state.

§ 7. Hereafter all certificates of tax sale shall be substantially in the following form, to wit:

State of Wisconsin, } ss.
county, }

County Treasurer's Office,
A. D., 18 . }

I, , county treasurer of the county of in said state, do hereby certify that I did, at public auction, pursuant to notice given as by law required, on this day of sell to A. B. (or to the county of ,) the lands herein described, for the sum of dollars and cents, said sum being the amount due and unpaid for taxes, interest, and charges on said lands for the year of our Lord one thousand eight hundred and , That the said A. B., his heirs or assigns, (or said county or assigns,) will therefore be entitled to a deed of conveyance of said lands in years from this date, unless sooner redeemed from such sale according to law. Said lands are described as follows, with the sums for which each tract was sold, set opposite such description. That is to say, (the east half of south-west quarter, section 1, town 1, north range 1, east, $10 00, according to the facts.) Form of certificate of tax sale.

A. B.
County Treasurer.

The above, or an equivalent form, is declared to be sufficient, and the same may be assigned by the purchsser writing his name in blank on the back thereof, and by the county treasurer in like manner, with his official character added.

§ 8. No deed shall be executed under the provisions of this act previous to the tenth day of April, in the year of our Lord one thousand eight hundred and fifty-four. Limitation.

§ 9. This act shall be printed by the State Printer immediately after the passage thereof, and when so printed shall take effect and be in full force.

Approved, March 31, 1854.

Chap. 67.

AN ACT *to provide for the appraisal of school lands in the counties of La Pointe and Douglass, and granting pre-emption rights thereon.*

Published, April 14, 1854.

The people of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

Governor to appoint appraisers.

§ 1. It shall be the duty of the Governor, in his discretion, to appoint three suitable persons in each of the counties of La Pointe and Douglass, to appraise the school lands in said counties, as hereinafter provided.

Notice of appointment.

§ 2. It shall be the duty of the secretary of state, within ten days after the appointment of the appraisers mentioned in the first section of this act, to issue a notice of such appointment in writing, under the seal of the state, to the persons so elected. Said notice may be delivered in person to the person to whom it may be directed, or forwarded by mail to the post office nearest his residence, and in case any or either of the appraisers so selected neglect to notify the Governor of his having qualified, according to law, within thirty days after notice of his appointment, the governor shall proceed to make new appointment to fill such vacancy or vacancies and continue so to do until the number is full.

Appraisers to take an oath.

§ 3. The appraisers appointed under the foregoing section, shall before entering upon the duties of their office take and subscribe the oath or affirmation to be administered by some proper officer, to support the constitution of the United States and of this State, and to faithfully and honestly discharge the duties devolving upon them, as such appraisers according to the best of their ability, which said oath or affirmation shall be attached to their report, to be returned as hereinafter provided.

Shall personally inspect the lands.

§ 4. It shall be the duty of the appraisers, or a majority of them, upon receiving notice as provided in this act and after having taken the oath provided for in the third section of this act, to proceed to make a personal inspec-

tion of all school lands situated in the county for which they were appointed, embraced in section sixteen in each township already surveyed, and in such townships as may hereafter be surveyed, during the year A. D., 1854, and to appraise the same in lots of the smallest sub-division, of sections, according to the United States survey, and laws relating to the sale of the public lands, stating the value per acre of each and every such lot at a fair valuation, without any reference to improvements thereon; they shall also return a particular description of all improvements made by any claimants upon any such, if any, with a full and fair estimate of the value of such improvements with the name or names of the person or persons claiming the same.

Report to be made to Secretary of State.

§ 5. After having inspected each and every sixteenth section mentioned in the foregoing section of this act situated in the county in which said appraisers were appointed, and within one year after their appointment, it shall be the duty of the said appraisers to make a full, distinct, and correct report to the office of the secretary of state, of all the lands within their respective counties, describing them by lots, with the value per acre as estimated by them, of each lot, also an estimate of the improvements on each, as before provided.

Compensation.

§ 6. The said appraisers shall be allowed for the services herein required of them, at the rate of two dollars and fifty cents per day for the time they may necessarily be engaged in the discharge of their duties as such apraisers, to be determined by their oaths; and a sum sufficient to pay the same is hereby appropriated out of the school fund to be paid by the state treasurer, upon the certificate of the secretary of state, stating the amount so due for such services, but no certificate shall be granted, until the appraisers shall have performed all the provisions of this act.

Pre-emption rights.

§ 7. After the lands shall have been so appraised and the appraisal duly reported to the office of the secretary of state, the same may be offered for sale, and the sale conducted according to the provisions of the revised statutes, or as may be hereinafter provided; but in all cases of pre-emptions under this act, the pre-emptor shall have the right to purchase, according to the provisions of this act.

§ 8. There is hereby secured to every person who at the time of the appraisal of any of the lands referred to

Pre-emptors. in this act, shall be in the actual occupancy of any part thereof, either by residing thereon or by having improvements or works thereon, and used for agricultural or manufacturing purposes, the pre-emption right to purchase an amount of land not exceeding one hundred and sixty acres, embracing the improvements thereon to be selected by the claimants, in legal sub-divisions at the appraised value.

Duties of pre-emptors. § 9. Every person claiming any pre-emption right to any of the lands referred to in this act shall, within sixty days after the appraisal thereof, file in the office of the secretary of State, a notice stating the amount of land claimed, the lot or sub division thereof, and the time when his or her occupancy commenced, and whether said land is used for agricultural or manufacturing purposes. The truth of the matter set forth in the notice shall be attested to by two witnesses, and sworn to by the claimant.

Further duties. § 10. At any time before said lands are sold, any person or persons having complied with section nine of this act, and wishing to avail themselves of the provisons of section eight of this act, shall prove up their right to such pre-emption before the proper officers, by the affidavits of two or more disinterested witnesses, setting forth, in addition to the matter required to be set forth in the notice required by section nine of this act, that the claimant had, since the appraisal of such lands, been in the continued occupancy thereof, and was in occupancy thereof, at the time of making such proof, and shall at the time of sale comply with the same conditions and obligations imposed by law upon other purchasers of school lands, and in case of non-compliance with the terms hereof, shall foreit all right of pre-emption.

§ 11. No lands mentioned in this act shall be appraised or sold at a less sum than one dollar twenty-five cents per acre.

Approved, March 31, 1854.

Chap. 68.

AN ACT *to provide for the salary of the State Librarian.*

Published, April 19, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. That section six of an act entitled, an act to provide for the superintendence of the State Library for the purchase of the state library, for the purchase of books and for other purposes, approved March 15, A. D., 1851, is hereby so amended as to read as follows: The salary of the Librarian shall not exceed the sum of one thousand dollars per year, nor shall any extra amount be paid for any assistant librarian during any time that the legislature or the supreme court of the state of Wisconsin are in session or at any other time. Salary.

§ 2. The sum of one thousand dollars is hereby annually appropriated out of the state treasury to pay the salary of the said Librarian.

Approved, April 1, 1854.

Chap. 69.

AN ACT *to amend an act, entitled an act to authorize the Secretary of State to audit certain accounts, approved, March* 30, 1854.

Published, April 28, 1854.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. Section two of said act is hereby amended so as to include newspapers furnished the President of the Senate, Sergeants-at-Arms, Chief Clerks, and each of their associates of both houses.

§ 2. This act shall take effect and be in force from and after its passage.

Approved, April 1, 1854.

Chap. 70.

AN ACT *to provide for defraying the contingent expenses of the State for the present year and to amend chapter 24 of the Revised Statutes, entitled of School and University lands.*

Published, April 21, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Appropriation. § 1. For the pnrpose of defraying the contingent expenses of the State for the present year, and of the several state officers, including stationery, postage, lights, furniture, and all other contingent expenses of the state, and of the several state officers, the sum of ten thousand dollars is hereby appropriated out of any money in the state treasury, not otherwise appropriated to be drawn from the Treasury by and expended under the direction of the Governor, as the exigencies of the public service may require, and it is hereby made the duty of the Governor to cause to be transmitted to the legislature at its next session, a detailed statement of the expenditure of this appropriation.

Duties of Secretary of State. § 2. The duties required to be performed by the state treasurer by section forty-one of chapter twenty-four of the revised statutes, entitled of the school and university lands, &c., shall hereafter be performed by the Secretary of state, and it is hereby made his duty to open the accounts required to be kept by said section forty-one, from the commencement of the sale of the school and university lands, and bringing the same down to the present time in a systematic manner, if not already done, and shall hereafter keep such accounts properly entered and posted up as fast as they are made, as required by said section forty-one.

§ 3. The Governor, with the commissioners of the school and university lands, are hereby authorized and

empowered to re-organize the manner of conducting the sale of the said lands and of the keeping of the accounts of the funds arising therefrom in such a manner, as will in the opinion and discretion of the Governor simplify and reduce the same to a perfect system, and protect the state against errors, mistakes or frauds, and for that purpose he may establish such system, rules and regulations, as in his discretion he may deem necessary, not inconsistent with the constitution and laws of this state.

Governor, &c., authorized to regulate the sale of school and university lands.

Approved, April 1, 1854.

Chap. 71.

AN ACT *to provide for an increase of the salary of the Private Secretary of the Governor.*

Published, April 22, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. The salary of the private secretary of the governor is hereby fixed at one thousand dollars per annum, to be paid quarterly, in the same manner as other salaries are paid; and the said sum of one thousand dollars per annum is hereby appropriated for that purpose, to be paid out of any money in the treasury not otherwise appropriated, and the office of private secretary is hereby established.

Salary increased.

§ 2. So much of section eight of chapter nine of the revised statutes, as refers to the clerk hire of the executive department is hereby repealed.

§ 3. This act shall take effect and be in force from and after its passage.

Approved, March 31, 1854.

Chap. 72.

AN ACT *concerning Railroad Companies.*

Published, April 22, 1854.

The people of the State of Wisconsin represented in Senate and Assembly do enact as follows:

Directors of Railroad company authorized to increase their capital stock.

§ 1. The directors of every railroad company organized, or which may be organized under any legislative enactment of this state, shall have power, and they are hereby authorized to increase the capital stock of their respective companies to an amount equal to, and not exceeding the entire cost of the road of such company, including the stocking and equipment thereof. And it shall not be necessary to make such increase at one time, but the same may be done by resolution at different times, as need or occasion may require.

No judge to be disqualified from sitting in suits to which company is a party because he is a stockholder.

§ 2. No judge of any circuit or county court, before whom any suit or matter shall be pending in which any railroad company is a party, shall be disqualified from sitting as a judge in such suit or matter, or from hearing, trying and deciding the same, for the reason that such judge is a stockholder in such railroad company.

§ 3. This act shall be printed by the state printer immediately upon the passage thereof, and when so published shall take effect and be in full force.

Approved, April 1, 1854.

Chap. 73.

AN ACT *to establish a State board of equalization of State tax, and to provide for levying a State tax for the year* 1854.

Published April 4, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Board of equalization.

§ 1. The governor, lieutenant governor, secretary of state, treasurer, attorney general, state superintendent, and bank comptroller of this state, shall be, and are hereby constituted a state board of equalization, for the purpose of equalizing the assessments of state tax upon the taxable property, both real and personal, in the several counties in this state, as returned to the said state board by the clerks of the several boards of county supervisors, as herein after provided.

Time fixed for assessments.

§ 2. It shall be the duty of the assessor, or assessors, authorized by law, to assess taxable property for state, county, and town purposes, in each town or in each ward, or city, or incorporated village in this State, to furnish to the clerk of the Board of Supervisors of the county in which such town, city or incorporated village may be, on or before the first day of August in each year, the original assessment roll complete, on real and personal property in said town, ward, city, or incorporated village, as made by said assessor or assessors, for the year in which such assessment is made. If such assessor shall fail or refuse to furnish such assessment roll as above provided, he shall be deemed guilty of a misdemeanor, and shall be finable in a sum not less than ten, nor more than fifty dollars.

Penalty in case of neglect.

Reviewing of assessment rolls.

§ 3. Section 31, of chapter 15, title 5 of the revised statutes is hereby so amended that the time within which the assessment rolls may be reviewed by the assessors or any other authority provided by law, shall in no event be extended beyond the twentieth day of July, next following the taking of the assessment.

Clerk of Board of supervisors to forward a statement to secretary of state.

§ 4. It shall be the duty of the clerk of the board of supervisors of each county in this state, to keep and file in his office such assessment rolls as may be returned to him by the assessor or assessors of the towns, cities, or incorporated villages in his county, he shall add up the amounts of the property assessed, both real and personal, the number of acres of land, and the value of village or city lots in his county; he shall also add up the total of personal property in said county, and shall keep the said rolls for the use of the board of supervisors of his county, for their action at their annual session, as provided by existing laws; and he shall also forward to the secretary of state, on or before the fifteenth day of August in each year, a statement showing the aggregate number of acres of land assessed in his county, and the value thereof; the aggregate value of personal property in said county; the average value per acre of the land, and city or village lots so assessed, which said statement shall be signed by said clerk and sealed with the official seal of the board of supervisors of his county; and shall be filed in the office of the secretary of state for the use of the state board of equalization.

Time of meeting of board of equalization.

§ 5. It shall be the duty of the state board of equalization, five of whom shall constitute a quorum, to meet in the office of the secretary of state on the third Monday of September in each year; the governor shall be ex-officio president, the secretary of state secretary of said board, and they shall then examine the aggregate valuation of the taxable property of the several counties of this state, as returned to the secretary of state, and for the purpose of ascertaining the amount of state tax to be applied in each county, for the current year shall increase or diminish the same in any county so much per centum as may in their opinion be necessary to produce a just relation between the valuation of the taxable property in the several counties, and the amount so added or deducted in each case, shall be entered in a book to be kept for that purpose, and they shall carry out in such book the amount of state tax to be charged against each county according to the said valuation so increased or diminished, and in no instance shall the aggregate valuation of all the counties be reduced below the aggregate valuation returned.

§ 6. If in any year the assessment roll of any town, or

ward, shall not be made out and returned, as provided in this act, there is hereby devolved upon the clerk of the board of supervisors the same power and authority to cause to be made out a tax list, and assessment from the last assessment roll, as is given to the county board of supervisors by section 35, chapter 15, of revised statutes for the purpose of carrying out the provisions of this act; and if any clerk of the county board of supervisors shall fail to forward the statement for his county, as provided in section four of this act, the state board of equalization shall have power, and they are hereby directed to make out a statement of the aggregates of real and personal property of said county, from the assessment for the next preceeding year, or if no such assessment be accessible, then from the best sources of information within their reach, and they shall proceed to assess to such county its proportion of state tax, the same as if a statement from the clerk of supervisors of such county had been duly returned.

In case of failure of assessment roll to be returned from any town.

§ 7. It shall be the duty of the secretary of state, to charge to the counties the amount of state tax assessed against them, respectively; which shall be paid into the state treasury as provided by law, and the secretary of state shall notify the clerk of the board of supervisors of each county in this state, on or before the first Monday of October, of the current year, and each succeeding year the amount of such tax charged against such county.

Sec'y. of state to charge to counties their amount of state tax.

§ 8. There shall be levied and collected for the year 1854, a state tax of two hundred and twenty-five thousand dollars, to be apportioned among, and assessed upon the several counties in this state, as herein provided, and levied upon the property real and personal in this state, according to the equalization to be made the present year by the state board; which tax shall be collected and paid into the state treasury as provided by law.

Amount of tax to be levied for 1854.

§ 9. The supervisors of the several counties in this state, are hereby required to levy the amount of state tax charged to their respective counties, as is provided in this act, upon the taxable property in their several counties according to the laws of this state, providing for assessment and collection of taxes.

Supervisors to levy tax as provided in this act.

§ 10. The secretary of state is hereby required, immediately after the passage of this act, to cause the same to be published by the state printer, in a newspaper printed

at the seat of government, and transmit to each clerk of the board of supervisors of the several counties in this state, a copy of the paper containing said act.

§ 11. Chapter 498 of the session laws of 1852, entitled an act to provide for the equalization of taxes in this state, and all acts and parts of acts conflicting or interfering with the provisions of this act are hereby repealed.

§ 12. This act shall take effect and be in force from and after its publication.

Approved, April 1, 1854.

Chap. 74.

AN ACT *taxing Rail Roads and Plank Roads.*

Published, April 10, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Railroad companies to make annual statement of gross receipts, &c.

§ 1. That the several railroad companies and plank road companies now organized or hereafter organized in this state, and completed in whole or in part, and being operated or used, shall on or before the tenth day of January in each year make out and return, or cause to be made out and returned to the treasurer of this state, a true and just statement of the gross earnings of their respective roads for the preceding year, up to the first day of January; which statement shall be verified by the affidavit of the secretary and treasurer of each respective company.

Shall pay tax, &c

§ 2. It shall be the duty of the said railroad companies and plank road companies to pay or cause to be paid to the treasurer of the state for the use of the state, on or before the tenth day of January in each year, a sum equal to one per centum of the gross earnings of their respective roads so returned, which amount of tax shall take the place and be in full of all of the taxes of every name and kind upon said roads, or other property belonging to said companies, or the stock held by individuals therein, and it

shall not be lawful to levy or assess thereupon any other or further assessment or tax for any purpose whatsoever; but when a railroad or plank road lies partly within this state and partly in another state or territory, the company shall pay such proportion of one per centum upon the gross earnings of the whole road so returned, as the length of that portion of the road within this state, bears to the whole length of said road. Where railroad lies only partly in this state.

§ 3. If any railroad company or its officers shall fail to comply with the requirements of this act, such company shall forfeit to the treasurer of this state, for the use of the state the sum of ten thousand dollars, for each case of neglect, to be recovered in the name of the state treasurer by action of debt on this statute. Forfeitures by railroad companies for neglect of provisions of this act.

§ 4. If any plank road company or its officers shall fail to comply with the requirements of this act, such company shall forfeit to the treasurer of the state for the use of the state, the sum of one thousand dollars for each case of neglect, to be recovered in the manner provided in the preceding section. Forfeiture of Plankroad Co's.

§ 5. If any rail road or plank road company shall fail to make the return required by this act, the treasurer of the state shall ascertain, as near as may be, the gross earnings of such delinquent company, and assess thereupon the said one per centum. and shall seize and lay upon the whole or any part of the property, rights, and franchises of said company, and after giving ten days' public notice of the time and place of sale, shall proceed to sell at public auction the same, to satisfy the amount thereof, together with all costs and disbursements (to be taxed by the attorney general of the state,) incurred in making such assessments and sale thereof. *Provided, however*, That nothing herein contained shall be so construed as to defeat the right of the treasurer in behalf of the state, to sue for and recover the penalties prescribed in section three and four of this act. Where companies fail to make returns. state treasurer to assess the one per cent. Proviso.

§ 6. All acts or parts of acts conflicting with the provisions of this act, are hereby repealed, so far as the property mentioned in this act is concerned.

§ 7. This act shall be printed by the state printer immediately after the passage thereof, and when so published shall take effect and be in full force.

Approved, April 1, 1854.

Chap. 75.

AN ACT *to divide the second and third Judicial Circuits and organize the ninth Judicial Circuit, and to fix the time of holding the Circuit Courts in the Counties of said respective Circuits.*

Published, April 24, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Boundaries defined.

§ 1. From and after the first day of January, in the year eighteen hundred and fifty-five, all that portion of this state included within the counties of Sauk, Jefferson, and Dane, shall constitute and be a separate judicial circuit, to be known and designated as the ninth judicial circuit, and all that portion of this state included in the counties of Milwaukee and Waukesha shall continue to be the second judicial circuit; and all that portion of this state included in the counties of Columbia, Dodge, Marquette, Washington, and Ozaukee, shall continue to be the third judicial circuit.

Terms of court fixed.

§ 2. The terms of the circuit court in the several counties of Sauk, Jefferson, and Dane, after the organization of the said ninth judicial circuit, shall be holden at the time following, to wit:

In the county of Sauk on the first Monday in February and first Monday in September in each year.

In the county of Jefferson on the second Monday of March and second Monday of October in each year.

In the county of Dane on the first Monday of April and first Monday of November in each year.

First election in ninth circuit.

§ 3. An election shall be holden in said ninth judicial circuit for the election of a judge of the circuit court thereof in the several counties and precincts in said district, on the fourth Monday of September next. Such election shall be conducted and the votes canvassed in the same manner as at general elections for state and county officers. The inspectors or judges of said election shall

make returns thereof to the clerk of the board of supervisors of their respective counties, immediately after the same are canvassed, and the said clerk of the board of supervisors shall file the same in their offices, and forthwith transmit a copy thereof to the governor of this state.

Canvass of returns.

§ 4. On the second Monday of November next, the governor, together with the secretary of state and state treasurer, shall proceed to canvass said returns; and the persons having the highest number of votes for said office, cast in said circuit, shall be the judge elect of the said ninth judicial circuit, and the governor shall transmit to the person so elected a certificate of his election under the seal of the state; and in case there should be a tie, the governor shall forthwith proclaim the fact, and order a new election in said circuit.

Oath of Judge.

§ 5. The judge elect, before he enters on the duties of his office, shall take and subscribe the following oath or affirmation: "I, ——— ———, do solemnly swear (or affirm, as the case may be,) that I will support the constitution of the United States and the constitution of the state of Wisconsin, and that I will administer justice without respect to persons, and will faithfully and impartially discharge the duties of the office of judge of the circuit court of the state of Wisconsin, according to the best of my ability." Such oath or affirmation shall be duly certified by the officer administering the same, and by said judge filed in the office of the secretary of state.

Commencement of term of office.

§ 6. Said judge shall enter upon the duties of his office on the first day of January in the year eighteen hundred and fifty-five, and shall hold his office for the term of six years, and until his successor is elected and qualified. He shall have all the powers and jurisdiction conferred upon other judges of the circuit courts of this state, and shall perform like duties, receive like compensation, and have the same rights and privileges.

§ 7. This act shall take effect from and after its passage and publication, and the secretary of state shall forthwith transmit a copy of the same to each of the clerks of the circuit courts within the second and third judicial circuits.

Approved, April 1, 1854.

Chap. 76.

AN ACT *to provide for the publication of the General Statutes of each session of the Legislature.*

Published, April 24, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Provision for publication of general laws.

§ 1. It shall be the duty of the secretary of state to cause to be published in each weekly newspaper published within this state, all the public acts of general interest of each session of the legislature, as soon as may be after the passage of the same, and he shall prescribe within what time said publication shall be completed. *Provided*, The same shall be completed within two months after the final adjournment of the session.

Compensation.

§ 2. All publishers of weekly newspapers who shall publish in their respective newspapers all the acts designated in the foregoing section, shall be allowed thirty dollars for such entire publication, to be paid out of the state treasury as hereinafter provided.

When order to be drawn on treasurer.

§ 3. The secretary of state upon receiving satisfactory evidence by affidavit, that all such laws have been published in accordance with the foregoing provisions, in any weekly newspaper published within the state, shall draw an order upon the state treasurer in favor of the publisher of such paper, for the sum before mentioned.

§ 4. A sum of money sufficient to pay for the publication aforesaid is hereby annually appropriated for that purpose, out of any money in the treasury not otherwise appropriated.

Approved, April 1, 1854.

Chap. 77.

AN ACT *to provide for the contingent expenses of the Bank Comptroller's office.*

Published, April 29, 1854.

The people of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

Authorized to procure a safe.

§ 1. The bank comptroller is hereby authorized to procure a suitable iron safe for the use of his office, and his account for the same shall be audited by the secretary of state and paid out of the state treasury, and the sum of money necessary to pay said account when audited is hereby appropriated to be paid out of any money in the treasury not otherwise appropriated.

To procure blank books.

§ 2. The bank comptroller is hereby authorized to procure suitable books, blanks, and forms for the use of his office, and especially to procure the books necessary to carry into effect the thirty-ninth section of the banking law of this state, and the expenses attending the same, as well as writing up the said books to the present time, in the manner recommended by the committee on banks and banking of the senate, shall be paid out of the tax paid into the state treasury by the banks; all of the said accounts, as well as the postage account of the bank comptroller's office, to be audited by the secretary of state and paid by the state treasurer out of the said fund, and the sum of money necessary to pay said account when audited, is hereby appropriated to be paid out of any money in the treasury of said fund, not otherwise appropriated.

Annual report.

§ 3. The bank comptroller is hereby required to annually report to the legislature the transactions of his office during the preceding year.

Office to be in basement of capitol.

§ 4. The bank comptroller shall hereafter keep his office in the room in the basement of the capitol, now occupied by the state agricultural society, and the governor shall cause the same to be suitably fitted up for the accommodation of said office.

Approved, April 1, 1854.

Chap. 78.

AN ACT *to establish the salary of the Assistant State Superintendent of Public Instruction.*

Published, May 4, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

To take oath of office.

§ 1. The state superintendent shall have power to appoint under his hand and seal, an assistant superintendent of public instruction, who shall take the constitutional oath of office, which shall be filed in the office of the governor; and such assistant shall perform such duties as his principal shall prescribe, not inconsistent with law, and shall receive an annual salary of eight hundred dollars, to be paid quarter yearly as the salaries of state officers are paid, and the sum of eight hundred dollars is hereby appropriated annually out of any money in the state treasury not otherwise appropriated, to him, and such assistant shall be styled the assistant state superintendent, and the state superintendent shall be responsible for all of the acts of such assistant.

Salary.

Laws repealed.

§ 2. This act shall take effect immediately from and after its passage, and any law of the state authorizing the state superintendent to appoint or employ a deputy, or any clerk or other person in the office at the expense of the state, and all laws of this state appropriating money to pay for clerk hire, or for the services of any such deputy clerk or other person, are hereby repealed.

§ 3. Section one of an act entitled "an act to provide for the payment of clerks for services in the several state offices," approved April 9, 1852, is hereby repealed.

Approved, April 1, 1854.

Chap. 79.

AN ACT *concerning certain acts.*

Published, May 8, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. An act entitled an act to authorize the secretary of state to audit certain accounts, approved March 13th, 1854, and also an act amendatory to said act shall take effect and be in force from and after their passage.

§ 2. This act shall take effect and be in force from and after its passage.

Approved, April 1, 1854.

Chap. 80.

AN ACT *to amend chapter nineteen of the Revised Statutes, and to compile the School Laws of Wisconsin.*

Published, April 26, 1854.

The people of the State of Wisconsin represented in Senate and Assembly do enact as follows:

§ 1. Whenever a school district shall be formed in any town, it shall be the duty of the town superintendent, within twenty days thereafter, to prepare a notice in writing of the formation of such district, describing its boundaries, and appointing a time and place for the first district meeting, and to deliver such notice to a taxable inhabitant of the district. Notice to taxable inhabitants.

§ 2. The town superintendent shall, in such notice, direct such inhabitant to notify every qualified voter of the district, either personally or by leaving a written notice at Notification of meeting.

his place of residence, of the time and place of such meeting, at least five days before the time appointed therefor; and it shall be the duty of such inhabitant to notify the voters of such district, agreeably to the requirement of said notice, and endorse thereon a return containing the names of the persons by him notified; and said notice and return shall be recorded as a part of the record of the first meeting in such district.

Notice in case of neglect to hold meeting.

§ 3. In case such notice shall not be given, or the inhabitants of a district shall refuse or neglect to assemble, or form a district meeting, when so notified, or in case in [*any*] school district having been formed and organized, shall afterwards be dissolved so that no competent authority shall exist therein to call a special district meeting in the manner hereinafter provided, notice shall be given by the town superintendent and served in the manner prescribed in the preceding section.

§ 4. Whenever a district meeting shall be called in the manner prescribed in the preceding sections of this chapter, it shall be the duty of the electors of the district to assemble at the time and place mentioned in such notice.

§ 5. Every person shall be entitled to vote in any school district meeting of this state, who is qualified to vote at a general election for state and county officers, and who shall have resided for the last ten days in the district where he or they may offer to vote.

Oath upon challenging voters.

§ 6. If any person offering to vote at a school district meeting shall be challenged as unqualified, by any legal voter in such district, the chairman presiding at such meeting shall declare to the person challenged the qualifications of a voter, and if such person shall declare that he is a voter, and if such challenge shall not be withdrawn, the chairman shall tender him the following oath or affirmation: "You do solemnly swear (or affirm, as the case may be,) that you have been an actual resident of this school district for the last ten days, and that you are qualified according to law to vote at this meeting." And every person taking such oath or affirmation shall be permitted to vote on all questions proposed at such meeting, but if any person shall refuse to take such oath or affirmation, his vote shall be rejected.

§ 7. Every school district shall be deemed duly organized when any two of the officers elected at the first legal meeting thereof, shall have consented to serve for the

offices to which they have been respectively elected, by a written acceptance thereof filed with and recorded by the clerk; and every school district shall be considered as legally organized after it shall have exercised the franchises and privileges of a district for the term of two years. When district shall be deemed duly organized.

§ 8. Every school district organized in pursuance of this chapter, or which has been organized under any previous law of the state or territory of Wisconsin, shall be a body corporate, and shall possess the usual powers of a corporation for public purposes, by the name and style of "School district number (such number as shall be designated by the town superintendent in the formation thereof,) of ———," (the name of the town or towns in which the district is situate,) and in that name shall sue and be sued, and be capable of contracting and being contracted with, and of holding such real and personal estate as is authorized to be purchased by the provisions of this chapter, and of selling the same. Name and style.

§ 9. The annual meeting of each school district shall be held on the last Monday of September in each year; the hour of such meeting shall be six o'clock in the afternoon, unless otherwise provided by a vote of the district, duly recorded, at the last previous annual meeting. Annual meeting.

§ 10. No annual meeting shall be deemed illegal for want of due notice, unless it shall appear that the omission to give such notice was wilful and fraudulent. No meeting illegal for want of notice.

§ 11. The inhabitants qualified by law to vote at a school district meeting, when assembled at the first and each annual meeting in their district, shall have power— Powers of school district meetings.

1st. To appoint a chairman for the time being.

2d. To adjourn from time to time as occasion may require.

3d. To choose a director, treasurer, and clerk.

4th. To designate a site for a district school house.

5th. To vote such tax on the taxable property of the district, as the meeting shall deem sufficient to purchase or lease a suitable site for a school house, and to build, hire, or purchase such school house, and to keep in repair and furnish the same with the necessary fuel and appendages.

6th. To vote a tax on the taxable property of the district of such sum as the meeting shall deem proper for the pay of teachers' wages in the district.

7th. To authorize and direct the sale of any school house, site, or other property belonging to the district,

when the same shall no longer be needful for the use of the district.

8th. To impose such tax as may be necessary to discharge any debts or liabilities of the district lawfully incurred.

9th. To vote a tax not exceeding twenty dollars in any one year for the purchase of globes, black board, outline maps, or any apparatus for illustrating the principles of agriculture, chemistry, or the mechanic arts.

10th. To give such direction and make such provision as may be deemed necessary in relation to the prosecution or defence of any suit or proceeding in which the district may be a party or interested.

11th. To alter, repeal, and modify their proceedings as occasion may require.

Special meetings.

§ 12. Special district meetings may be called by the clerk, or in his absence by director or treasurer, on the written request of any five legal voters of the district, and the inhabitants qualified by law to vote, when lawfully assembled at a special meeting, shall have power to transact the same business as at the first and each annual meeting, except to choose district officers and to vote a tax.

Notification for special meetings.

§ 13. Whenever the time for holding an annual meeting in any district for the election of district officers shall pass without such election being held, the clerk, or in case of his absence, either the director or treasurer last elected, within twenty days after the time of holding such meeting shall have passed, may notify a special meeting for such election in the manner prescribed in the eleventh and twenty-ninth sections of this chapter; but if such meeting shall not be notified within twenty days as aforesaid, the town superintendent may order any taxable inhabitant of such district to notify such meeting in the manner provided in this chapter for the formation of a new district; and the officers chosen at such special meeting shall hold their offices until the time for holding the next annual meeting.

Maximum tax for building school houses, &c.

§ 14. No tax to be voted by a district meeting for building, hiring, or purchasing a school house, shall exceed the sum of three hundred dollars, unless the town superintendent of the town in which the school house is to be situated, shall certify in writing his opinion that a larger sum ought to be raised, and shall specify the sum, in

which case a sum not exceeding the sum specified may be raised; and in districts composed of parts of several towns, the certificate of a major part of the superintendents of said towns shall be necessary for such purpose.

Regulations regarding time of holding schools.

§ 15. The qualified voters at each annual meeting may determine the length of time a school shall be taught in their district the then ensuing year, which shall not be less than three months, and whether such school shall be taught by a male or female teacher, or both, and whether the school moneys to which the district is entitled from the common school fund and from the town, shall be applied to the support of the summer or winter term of the school, or a certain portion to each; but if such matters shall not be determined at the annual meeting, the district board shall have power and it shall be their duty to determine the same.

District officers.

§ 16. The officers of each school district shall be a director, treasurer, and clerk, who shall hold their respective offices until the annual meeting next following their election or appointment, and until their successors shall have been chosen, but not beyond ten days after the time for holding the second annual meeting after their election or appointment, without being again elected or appointed. Any person present at a school district meeting at which he shall be elected one of the district board, shall be deemed to be notified thereof, and any person so elected, and not present, shall be notified thereof by the clerk of such meeting within five days thereafter, and unless each person so elected and notified shall, within ten days after his election, file with the clerk his refusal in writing to accept the office, he shall be deemed to have accepted the same; and any person appointed to fill a vacancy shall file with the clerk his acceptance in writing before entering upon the duties of the office to which he has been appointed.

Notification of election.

Duties of Directors.

§ 17. It shall be the duty of the director of each district to sign, together with the clerk, all orders drawn by the clerk upon the treasurer of the district for moneys received by him to be disbursed therein.

§ 18. The director shall appear for and on behalf of the district, in all suits brought by or against the district, when no other direction shall be given by the qualified voters of such district at a district meeting.

Duties of treasurer.

§ 19. It shall be the duty of the treasurer of each district to apply for and receive from the town superintendent, all school moneys apportioned to his district, and pay over on the order of the clerk and director of such district, all moneys so received by him.

Annual report.

§ 20. The treasurer shall present to the district at each annual meeting a report in writing containing a statement of all moneys received by him during the preceding year, and of the disbursements made by him, with the items of such disbursements, and exhibit the vouchers therefor; also a statement of all taxes assessed upon the taxable property of the district during the year, the purposes for which such taxes were assessed, and the amount assessed for each particular purpose, which report shall be recorded by the clerk; and if it shall appear that any balance of moneys is in the hands of such treasurer at the time of making such report, he shall immediately pay over such balance to his successor in office.

Bond of treasurer.

§ 21. The treasurer shall within ten days after his election execute to the district a bond in double the amount of money, as near as can be ascertained, to come into his hands as treasurer, during the year, with sufficient sureties to be approved by the director and clerk, conditioned for the faithful discharge of the duties of his office; and if he shall fail so to do, his office shall be vacant.

Suits for breach of conditions of bond.

§ 22. Such bond shall be filed with the clerk, and in case of any breach of the condition thereof, the director shall cause a suit to be commenced thereon in the name of the district, and the money, when collected, shall be applied by such director to the use of the district, as the same should have been applied by the treasurer.

In cases when treasurer fails to give bond or declines.

§ 23. If the treasurer shall fail to give a bond as is required in this chapter, or shall decline to accept his office, the said board shall appoint a treasurer, who shall possess all the powers of the district treasurer, and shall, before entering upon the duties of his office, give a bond to the district in double the amount of moneys to come into his hands, as near as can be ascertained, in the same manner and with the same effect as the district treasurer is required to give.

Prosecutions for withholding balance.

§ 24. If such treasurer shall refuse or neglect to pay over any balance remaining in his hands, it shall be the duty of his successor in office to prosecute without delay his official bond for the recovery of such balance.

Duties of clerk.

§ 25. It shall be the duty of the clerk of each district to record the proceedings of his district in a book to be provided by the district for that purpose; to enter therein copies of all reports made by him to the town superintendent, and to keep and preserve all records, books, and papers belonging to his office, and deliver the same to his successor in office.

Appointment of clerk pro tem.

§ 26. He shall be clerk of the district and of all district meetings when present, but if he shall not be present at any district meeting, the qualified voters present may appoint a clerk of such meeting, who shall certify the proceedings thereof, and the same shall be recorded by the clerk of the district.

Clerk to hire teachers &c.

§ 27. The clerk shall contract with and hire qualified teachers for and in the name of the district; which contract shall be in writing, and shall have the consent of either the director or treasurer, or both endorsed thereon, and shall specify the wages per week or month as agreed upon by the parties, and such contract so completed shall be filed in his office.

Appendages for school house.

§ 28. The district board shall provide the necessary appendages for the school house, and keep the same in good condition and repair during the time a school shall be taught therein; and they shall keep an accurate account of all expenses incurred by them, and present such account for allowance to the qualified voters at a regular district meeting; and the amount of such account as allowed by such meeting may be assessed and collected in the same manner as other district taxes; but no such account shall be allowed at a special district meeting unless the intention to present the same shall be specified in the notice for such meeting.

Six days notice of annual or special meeting.

§ 29. It shall be the duty of the clerk to give at least six days previous notice of every annual and special district meeting, by posting up notices therefor in four or more public places in the district, one of which notices shall be affixed to the outer door of the school house, if there be one in the district; and he shall give the like notices for every adjourned district meeting, when such meeting shall have been adjourned for a longer period than one month; every notice for a special district meeting shall specify the objects for which such meeting is called, and no business shall be acted upon at any special meeting which was not specified in such notice.

Report of clerk.

§ 30. It shall be the duty of the clerk, between the first and fifteenth days of September in each year, to make and transmit a report in writing, signed by him, to the town superintendent, dated on the first day of September, in the year in which it shall be transmitted, showing:

1st. The number of children, male and female, designated separately, residing in the district on the last day of August previous to the date of such report, over the age of four and under the age of twenty years.

2d. The number attending school during the year, under the age of four, and the number over the age of twenty years.

3d. The whole number that have attended school during the year.

4th. The length of time a school has been taught during the year by a qualified teacher; the name of each teacher, the length of time taught by each, and the wages paid to each.

5th. The average length of time scholars over the age of four and under the age of twenty-years, have attended school during the year.

6th. The amount of moneys received from the town superintendent within the year, and the manner in which the same has been applied.

7th. The amount raised by the district in such year, and the purpose for which it was raised.

8th. The kind of books used in the school.

9th. Such other facts and statistics in regard to the school and the subject of education, as the state superintendent may direct.

Clerk to draw orders on Treasury.

§ 31. It shall be the duty of the clerk to draw orders on the treasurer of the district for money, in the hands of such treasurer, which has been apportioned to or raised by the district, to be applied to the payment of teachers' wages, and apply said moneys to the payment of such teachers as shall have been employed by him in the name of the district, and also to draw orders on said treasurer for moneys in his hands, to be disbursed for any other purpose, for which the same shall have been voted by the district, agreeably to the provisions of this chapter: *Provided*, Said orders shall be signed by the director.

Proviso.

§ 32. The clerk of each school district shall furnish at the expense of the district a school register in the form prescribed by the state superintendent, in which every

teacher in the district shall be required to enter the names, ages, and studies of all the scholars attending school, and daily, their attendance and absence; which register shall be deposited with the clerk at the end of each term; and any teacher who shall wilfully neglect or refuse to comply with the requirements of this section, shall forfeit his or her wages for teaching in such district. School register.

§ 33. The clerk of each school district shall, on or before the fourth Monday of November in each year, deliver to the town clerk in which the district is situated, a statement in writing, verified by his affidavit, showing the amount of the tax or taxes voted to be raised at the last preceding annual meeting or at the first meeting after the organization of the district, or both, as the case may require, together with a list of all persons and corporations liable to a school district tax therein. In case of a joint district he shall deliver to the town clerk of each town in which any part of the district is situated, a statement so verified, showing the proportion of the tax to be assessed in that part of the district within such town, together with a list of all persons and corporations liable to a school district tax in that part of the district. Such proportion shall be ascertained from the valuations contained in the last assessment rolls of the respective towns; and to enable the district clerk to ascertain the same, the town clerk of each such town, shall, on demand, at any time after he has received the equalized assessment roll of his town, deliver to the clerk of any such joint district a certified statement of the valuation of real and personal property in that part of such district lying within his town, as the same appears from said assessment roll. Statement of amount of taxes by clerk. In case of a joint district.

§ 34. The town clerk shall assess such tax, or the due proportion thereof, upon the real and personal property liable thereto, placing the same in a separate column in the next assessment roll of his town delivered to the town treasurer for collection, whenever such certificate of the district clerk shall be received by him in time therefor, although after the fourth Monday of November, and if for any reason such tax shall not be assessed in the next assessment roll after the tax is voted, it shall be assessed in that of the next succeeding year. The tax shall in all respects be collected or returned delinquent like other taxes, and when collected the money shall be paid over to the district treasurer. And whenever any part and Assessment of taxes by the town clerk.

not the whole, of the taxes for all purposes assessed in the assessment roll to any person or corporation, or upon any real estate, shall be collected by the town treasurer, he shall pay over the due proportion of the amount collected by him to the district treasurer.

The district board

§ 35. The director, treasurer, and clerk, shall constitute the district board.

Board to provide for a school house

§ 36. They shall purchase or lease such a site for a school house as shall have been designated by the district, in the corporate name thereof, and shall build, hire, or purchase such school house out of the funds provided for that purpose, and make sale of any school house, site, or other property belonging to the district, and if necessary execute a conveyance of the same in their name of office, when lawfully directed by the qualified voters of such district at any annual or special meeting.

To have the care of property belonging to the district.

§ 37. The said board shall have the care and keeping of the school house, and other property belonging to the district, except so far as the same shall be especially confided to the care of the clerk, including all books purchased by the district for the use of any children.

May fill vacancies

§ 38. The said board shall have power to fill by appointment any vacancy that shall occur in their own number, within ten days after such vacancy shall occur; and if such vacancy shall not be filled within ten days as aforesaid by said board, it shall be the duty of the town superintendent to fill such vacancy by appointment.

May purchase school books in certain cases.

§ 39. The district board may purchase at the expense of the district, when families or guardians may not be able to furnish the same, such school books as in their judgment may be necessary for the use of any children attending school in their district, and they may include the amount of such purchase in any tax to be collected in such district.

May determine what books shall be used.

§ 40. The board in each school district shall have power, under the advice of the superintendent of public instruction, to determine what school and text books shall be used in the several branches taught in the school of such district.

Branches to be taught.

§ 41. In every district school there shall be taught, in the English language, orthography, reading, writing, English grammar, geography, and arithmetic, during the time such school shall be kept, and such other branches of education as may be determined upon by the board.

Town superintendent to file a bond.

§ 42. It shall be the duty of the town superintendent of common schools, within ten days after he shall have been notified of his election or appointment, to execute to the chairman of supervisors of his town, and file with the town clerk, a bond with one or more sufficient sureties, to be approved by the said chairman of supervisors, by endorsement over his signature on said bond, with a penalty, as near as can be ascertained, of double the amount of all the school moneys to come into his hands during the term of his office, and conditioned for the faithful application and legal disbursement of all such school moneys according to law, and for the faithful discharge of all the duties of his office, and in case such bond shall not be executed, approved, and filed within the time prescribed in this section, the office of such town superintendent shall be deemed vacant.

Duties of the town superintendent.

§ 43. It shall be the duty of the town superintendent in each town—

1st. To divide the town into a convenient number of school districts, and to regulate and alter such districts as hereinafter provided.

2d. To describe and number the school districts, and to deliver the description thereof and numbers, in writing, to the town and district clerk, immediately after the formation or alteration thereof.

3d. To apply for and receive from the county treasurer, all moneys apportioned for the use of common schools in his town, and from the treasurer of the town, all the moneys therein for the same purpose.

4th. To apportion the school moneys received from the town and county treasurers, on the third Monday in March in each year, or as soon thereafter as he shall receive the same, to the several districts and parts of districts within the town, in proportion to the number of children residing in each, over the age of four and under the age of twenty years, as the same shall have appeared from the last annual reports of their respective clerks.

5th. To see that the annual reports of the clerks of the several school districts in his town, are made correctly and in due time.

6th. To sue for and collect in his name of office, all penalties and forfeitures imposed in this chapter, which shall be incurred by any officer or inhabitant of his town, and in respect to which no other provision is made.

Superintendent to make an annual report.

§ 44. It shall be the duty of the town superintendent, between the first and fifteenth days of October in each year, to make and transmit to the clerk of the board of supervisors of the county, a report in writing, bearing date on the first day of October in the year of its transmission, stating:—

1st. The whole number of school districts separately set off within the town.

2d. The districts and parts of districts from which reports shall have been made to him or his immediate predecessor in office, within the time limited for that purpose.

3d. The length of time a school shall have been taught in each of such districts or parts of districts, distinguishing what portion of that time the school has been taught by qualified teachers.

4th. The amount of public moneys received in each of such districts and parts of districts.

5th. The number of children taught in each and the number of children over the age of four and under the age of twenty years, residing in each.

6th. The whole amount of moneys received by him from his predecessor in office, since the date of the last preceding report, distinguishing the amount received from the county treasurer, from the amount received from the town treasurer, and from other sources, if any.

7th. The manner in which such moneys have been expended, and whether any and what part remains unexpended, and for what cause.

8th. The amount of money raised in the districts and paid for teachers' wages, in addition to the public money paid therefor; the amount of taxes raised for purchasing school house sites, for building, hiring, purchasing, repairing, and insuring school houses; for fuel, for district libraries, or for any other purpose allowed by law, in the districts or parts of districts from which reports have been received by him, or his predecessor, since the date of the last preceding report, with such other information as the state superintendent may from time to time require.

Condition of apportioning money to districts.

§ 45. No moneys shall be apportioned to any district or part of a district, unless it shall appear, by the report thereof, that a school has been taught therein, for at least three months during the year ending at the date of such report, by a qualified teacher, and that all school moneys received during that year from the school fund, have

been applied to the payment of the wages of such teacher; and no portion of the library money shall be apportioned to any district or part of a district, unless it shall appear from the last annual report thereof, that the library money received at the last preceding apportionment was duly expended according to law, before the first day of September subsequent to such apportionment, and that such district has complied with the regulations established by the state superintendent in relation to district libraries.

Superintendent to keep an account of moneys.

§ 46. The town superintendent in each town shall keep a just and true account of all school moneys received and expended by him during each year for which he shall have been chosen, and shall lay the same before the board of auditors of town accounts, at the annual meeting of such board in each year.

Shall account to his successor.

§ 47. The town superintendent of schools in each town shall within ten days after the termination of his office, render to his successor in office a just and true account in writing, of all school moneys received by him during the preceding year, and of the manner in which the same shall have been appropriated and expended by him; and the account so rendered shall be delivered by such successor in office to the town clerk, to be filed and recorded in his office.

Shall pay over moneys to his successor.

§ 48. On rendering such account, if any balance shall be found remaining in the hands of such town superintendent, the same shall be immediately paid by him to his successor in office.

Such successor may bring a suit to recover unpaid balance.

§ 49. Such successor in office shall bring a suit upon the official bond of any previous town superintendent, for the recovery, with interest, of any unpaid balance of school moneys that shall appear to have been in his hands on leaving his office, either by the accounts rendered by such town superintendent, or by other sufficient proof.

Town superintendent to have powers of corporation.

§ 50. The town superintendent in each town shall have the powers and privileges of a corporation, so far as to enable him to take and hold any property transferred to him for the use of common schools in such town.

Corporation.

§ 51. The town superintendent shall be entitled to receive one dollar per day for every day actually and necessarily devoted by him in his official capacity, to the service of the town for which he may be chosen, the same to be paid in like manner as other town officers are paid.

Mode of apportionment where districts have been altered or new ones formed.

§ 52. If after the time when the annual reports of the school districts are required to be dated, and before the apportionment of school moneys shall be made, a district shall be duly altered, or a new district [*shall be formed*] in the town, so as to render an apportionment founded on such annual reports, unjust as between two or more districts of the town, the town superintendent shall make an apportionment to such districts according to the number of children in each over the age of four and under the age of twenty years, ascertaining that number by the best evidence in his power.

Monies not apportioned to be added to future apportionments.

§ 53. All moneys apportioned by the town superintendent to any district or part of a district, which shall have remained in the hands of said town superintendent for one year after such apportionment by reason of such district or part of district neglecting or refusing to receive the same, shall be added to the moneys next thereafter to be apportioned by such town superintendent, to the several districts and parts of districts in such town, and apportioned therewith.

Examination of teachers.

§ 54. It shall be the duty of the town superintendent to examine annually all persons offering themselves as candidates for teachers of common schools in his town, in regard to moral character, learning, and ability to teach school; and he shall deliver to each person examined and found qualified, a certificate signed by him, in such form as shall be prescribed by the state superintendent; which certificate shall be in force for one year from the date thereof, unless annulled within that time, and no person shall be deemed a qualified teacher within the meaning of this chapter, who has not such a certificate in force. A certificate granted by any town superintendent, as provided in this section, shall not be deemed a legal qualification of a teacher within the meaning of this chapter in joint school districts, except in cases where the school house is situated in the town for which the superintendent granting the certificate was chosen.

May annul certificate given to teachers.

§ 55. The town superintendent may annul any such certificate given by him or his predecessor in office, when he shall think proper, giving at least ten days' previous notice in writing to the teacher holding it, and to the district board of the district in which he may be employed, of his intention to annul the same.

§ 56. The annulling of a certificate shall not disqualify

the teacher to whom it is given, until a note containing the name of the teacher and the time when the certificate was annulled, shall be made by the town superintendent, and filed in the office of the town clerk. Its effect, &c.

§ 57. The town superintendent, whenever he shall deem it necessary, may require a re-examination of all or any of the teachers in his town, for the purpose of ascertaining their qualifications to continue as such teachers. May re-examine teachers.

§ 58. It shall be the duty of the town superintendent to visit all such common schools. Shall visit schools.

§ 59. At such visitation, the town superintendent shall examine into the state and condition of such schools, both as respects the progress of the scholars in learning, and the good order of the schools, and may give his advice and direction to the board of directors, and the teachers of such schools, as to the government thereof, and the course of studies to be pursued therein. Shall advise directors.

§ 60. Whenever the town superintendent shall contemplate an alteration of the boundaries of a school district, he shall give at least five days' notice in writing to the clerk of the district or districts to be affected thereby, stating in such notice the time and place, when and where he will be present to hear and decide upon such proposed alteration; and it shall be the duty of such clerk or clerks immediately to notify the other members of the board. In hearing and deciding upon the alteration of a school district, the district board of the district or districts to be affected by such alteration may apply to the chairman of the town board of supervisors and town clerk to be associated with the town superintendent, and a majority of the board so constituted shall be necessary to make any change in the boundaries of a school district, and their action shall be final unless duly appealed from. Notice to be given on altering the boundaries of a district.

§ 61. In all cases where an alteration of the boundaries of a chool district shall be made, the town superintendent shall, within three days thereafter, give notice thereof, by filing a copy of the order so altering the same with the clerk of the district or districts affected by such alteration; and no alteration of any school district, made without the consent of a majority of the district board endorsed on such order, shall take effect until three months after notice given as above specified, nor shall any altera- Notice of the alteration.

tion of an organized school district be made to take effect between the first day of December in any one year, and the first day of April following.

Formation of new districts.

§ 62. When a new district is formed, in whole or in part from one or more districts possessed of a school house, or entitled to other property, the town superintendent, at the time of forming such new district, shall ascertain and determine the proportion of the value of the school house and other property justly due to such new district.

Valuation of school house and district property.

§ 63. Such proportion shall be ascertained and determined according to the value of the taxable property of the respective parts of such former district at the time of the division, by the best evidence in the power of the town superintendent; and such amount of any debt due from the former district, which would have been a charge upon the new had it remained in the former district, shall be deducted from such proportion.

Raising tax on district retaining school house.

§ 64. Such proportion, when ascertained, shall be raised and collected by tax upon the taxable property of the district, retaining the school house or other property of the former district, in the same manner as other district taxes are collected, and when collected shall be paid to the treasurer of the new district, to be applied towards procuring a school house for such district; and the money so paid to the new district shall be allowed to the credit of the taxable property taken from the former district, in reduction of any tax that may be imposed on said taxable property, in the new district, for the building of a school house.

Joint school districts.

§ 65. Whenever it shall be necessary to form a district from two or more adjoining towns, the superintendents of such adjoining towns shall meet together and form such district, and deliver the notice of such formation to a taxable inhabitant of such district, whose duty it shall be to serve such notice, as provided in the second section of this chapter, and the clerk of the district so formed shall make such report to the superintendent of each such adjoining town, of such part of said district as may be situate in such town, as is prescribed in the thirtieth section of this chapter; and any district so formed may be altered or regulated by the superintendents of such adjoining towns as may be deemed necessary.

§ 66. Any person conceiving himself aggrieved in con-

sequence of any decision made by any school district meeting, or by the town superintendent, in forming or altering or refusing to form or alter any school district, or concerning any other matter under the provision of this chapter, may appeal to the state superintendent, who is hereby authorized and required to examine and decide the same, and such decision shall be final and conclusive: *Provided, however*, That the decision appealed from shall be operative until the state superintendent shall reverse or change the same. Redress of grievances. Proviso.

§ 67. All taxes raised and collected in any school district for any of the purposes authorized by the provisions of this chapter, except when otherwise provided, shall be assessed on the same kind of property as taxes for town and county purposes are assessed. Kind of property taxed.

§ 68. Whenever any real estate in any school district shall not have been separately valued in the assessment roll of the town, and the valuation of such real estate cannot be definitely ascertained from such assessment roll, the town clerk shall estimate the value of the same, in proportion to the valuation affixed in said assessment roll to the whole tract of which such lot or piece of land forms a part. Town Clerk to estimate value of property in certain cases.

§ 69. Whenever a school district embraces a part of more than one town, the town superintendents of the towns so in part embraced, upon application of any three persons liable to pay taxes in such district, shall proceed to enquire and determine whether the valuations of taxable property in the assessment rolls of such towns are just, as compared with each other, in respect to such district, and if considered not to be so, they shall determine the relative proportion of taxes to be assessed upon the real estate of the parts of such district so lying in different towns, and shall certify the same to the town clerk of each town, and if received by him previous to making out the assessment roll for that year, he shall assess the school district tax according to such equalized valuation. In cases where two superintendents cannot agree as to such valuation, they shall summon a superintendent from an adjoining town, who shall unite in such inquiry and determination. Equalizing taxes in joint school districts.

§ 70. It shall be the duty of the town clerk to receive and keep all reports made to the town superintendent, from clerks of school districts, and all books, maps, and Town clerk to keep all reports to superintendent.

papers belonging to the town superintendent, when required, and file them in his office; and he shall record, in a book kept for that purpose, such description of school districts and organization or alteration thereof, as shall be transmitted to his office by the town superintendent.

Town clerk to receive and keep all documents transmitted to him by superintendent.

§ 71. It shall be the duty of the clerk of the county board of supervisors in each county, to receive all documents transmitted to him by the town superintendents of the several towns in his county, and all communications directed to him by the state superintendent, and keep the same in his office, or dispose of the same as directed by the state superintendent.

Clerk to report to state superintendent.

§ 72. The said clerk shall, on or before the tenth day of November in each year, make and transmit to the state superintendent a report in writing, setting forth the whole number of towns in his county, distinguishing those from which the required reports have been made to him by the town superintendents, and containing an abstract of their reports.

Shall deliver statement of whole number of children &c. to county treasurer.

§ 73. He shall also, within the time mentioned in the preceding section, make and deliver to the county treasurer a written statement of the whole number of children in each town in the county over the age of four, and under the age of twenty years, as shown by the town superintendent's reports, and the board of supervisors of each county shall allow to the clerk thereof such compensation as they may deem reasonable for the services required of him by the provisions of this chapter.

Money to purchase libraries.

§ 74. Each town superintendent may, in his discretion, set apart a sum not exceeding ten per cent. of the gross amount of the school money apportioned to any school district, which shall be applied by such districts to the purchase of school district libraries, which shall be the property of such districts; and any resident of a school district, and the parents and guardians of all the children therein, between the ages of four and twenty years, shall be permitted to use books from the school district library of said district without charge, being responsible to the district for the safe return thereof, and for any injury done thereto, according to such rules and regulations as may be established by the state superintendent. *Provided, however*, That for the city of Milwaukee ten per cent only on the amount of money received from the state shall be apportioned for library purposes as prescribed herein.

Provisos.

Provided, That when the district board or school commissioners shall so determine, a portion of the library money not exceeding one-half the amount so appropriated, may be applied to the teaching of music in such schools.

Tax for libraries.

§ 75. The taxable inhabitants of each school district shall have power, when lawfully assembled at any annual district meeting, to vote a tax on the district not exceeding thirty dollars in any one year, for a district library, consisting of such books as they may direct their district board or any other person, at such district meeting, to purchase; and such further sum as they may deem necessary for the purchase of a book case.

Librarian.

§ 76. The clerk of the district, or such other person as the taxable inhabitants may at any legal meeting appoint by a majority of votes, shall be the librarian of the district, and shall have the care and custody of the district library.

Library vested in the district board. Fines and penalties.

§ 77. Every school district library, and the appurtenances thereunto belonging, shall be deemed to be vested in the district board of the district, so as to enable them to maintain any action for the same, or for the value thereof, or for the recovery of any fine or penalty for damage done to any book or books, or neglect to return, or loss of the same; and all such fines and penalties incurred in consequence of a violation of any regulation lawfully established in respect to district libraries, shall be sued for and collected in the name of such district board, and when so collected shall be applied for the benefit of such district library.

Union of Libraries.

§ 78. The legal voters in any two or more adjoining districts may, in such cases as may be approved by the town superintendent, unite their libraries, and also their library moneys, as they shall be collected or received, and purchase a joint library for such districts, which shall be selected by the district boards thereof, or by such persons as they shall designate, and shall be under the charge of a librarian to be appointed by the district boards of such districts, and the provisions of this chapter shall be applicable to such joint libraries, except that the property in them, and their appurtenances, shall be deemed vested in all the district boards, for the time being, of the districts so united; and in case any such district shall desire to divide such library, such division shall be made by the directors of the districts whose libraries are so united, and

in case they cannot agree then such division shall be made by the town superintendent.

Jurisdiction of justices in cases where a school district is a party.

§ 79. Justices of the peace shall have jurisdiction in all cases, in which a school district is a party interested, when the amount claimed by the plaintiff shall not exceed one hundred dollars, and the party shall have the same right of appeal as in other cases; and when a suit shall be brought against any school district, it shall be commenced by a summons, a copy of which shall be left with the director of such district.

No execution to issue against school district.

§ 80. No execution shall issue on any judgment against a school district, nor shall any suit be brought thereon; but the same shall be collected in the manner prescribed in this chapter.

Director to certify to date and amount of judgment.

§ 81. Whenever any final judgment shall be obtained against any school district, if the same shall not be removed to any other court, the director of such district shall certify to the town clerk of the town, the date and amount of such judgment, with the name of the party in whose favor the same was rendered; and if such judgment shall be removed to another court, the director shall certify the same as aforesaid immediately after the final determination thereof against the district.

In case of fact are to certify.

§ 82. If the director shall fail to certify such judgment, as required in the preceding section, it shall be lawful for the party obtaining the same, his agent or legal representatives, to file with the town clerk of the town, the certificate of the justice or clerk of the court rendering the judgment, showing the facts which should have been certified by such director.

Where district lies in two towns certificate of judgment to be given each town clerk.

§ 83. If the district against which any such judgment shall be rendered is situate in part of two or more towns, a certificate thereof shall be delivered as aforesaid to the town clerk of each town in which such district is part situated.

Town clerk to assess amount of judgment on taxable property of district.

§ 84. The town clerk receiving either of the certificates of a judgment as aforesaid, shall proceed to assess the amount thereof, with interest from the date of such judgment to the time when the warrant for the collection thereof will expire, upon the taxable property of said district, placing the same on the next town assessment roll in a separate column, and the same proceedings shall be had thereon, and the same shall be collected and returned, in the same manner as other town taxes, and shall be paid

to the party entitled thereto. If such district be situated in two or more towns, the clerk of each town shall, on demand of any person interested, furnish for the clerk of every other town in which any part of the district is situated, a certificate showing the total amount of the valuations of taxable property in that part of the district situate in his town, according to the last assessment roll of said town, and the amount of the judgment shall be assessed upon the respective parts of the district within the several towns in proportion to such valuation. In all cases when for any reason, the clerk of any town has heretofore failed, or shall hereafter fail to assess the amount of any such judgment, or the proper proportion thereof, in the next assessment roll after the rendition of the judgment, it shall be his duty to assess the same in any subsequent assessment roll within two years thereafter, upon the taxable property within the district, or part of a district, situate within his town according to its limits at the time of making the assessment.

Mode of proceedure in joint districts.

§ 85. Every taxable inhabitant, receiving the notice mentioned in the first and second sections of this chapter, who shall neglect or refuse duly to serve and return said notice, and every chairman of the first district meeting in any district, who shall wilfully neglect or refuse to perform the duties enjoined on him in this chapter, shall respectively forfeit the sum of five dollars.

Penalty for neglect or refusal to obey 1st and 2d sections.

§ 86. Every person duly elected to the office of director, treasurer, or clerk of any school district, who shall neglect or refuse without sufficient cause, to accept such office and serve therein, or who having entered upon the duties of his office, shall neglect or refuse to perform any duty required of him by the provisions of this chapter, shall forfeit the sum of ten dollars.

Penalty for refusing to serve as district officers.

§ 87. Every town superintendent, who shall neglect or refuse to make and deliver to the clerk of the county board of supervisors his annual report, as required in this chapter, within the time limited therefor, shall be liable to pay the full amount of money lost by such neglect or refusal, with interest thereon, to be recovered by the town treasurer in the name of the town.

Penalty for town superintendent neglecting to report.

§ 88. Every clerk of the county board of supervisors, who shall neglect or refuse to make the report required in this chapter to be made by him to the state superintendent, within the time therefor limited, shall be liable to

Penalty for neglect of clerk of county board to report to state superintendent.

pay to each town the full amount which such town, or any school district therein, shall lose by such neglect or refusal, with interest thereon, to be recovered in the manner specified in the preceding section.

Apportionment of moneys.

§ 89. All moneys collected or received by any town treasurer, under the provisions of either of the last two preceding sections, shall be apportioned and distributed to the school districts entitled thereto, in the same manner and in the same proportions, that the moneys lost by any neglect or refusal therein mentioned would, according to the provisions of this chapter, have been apportioned and distributed.

Penalty for clerk of district signing a false report.

§ 90. Every clerk of a district who shall wilfully sign a false report to the town superintendent of his town, with intent of causing such town superintendent to apportion to his district a larger sum than its just proportion of school moneys of the town, shall be deemed guilty of a misdemeanor, and punished by fine not exceeding one hundred dollars, or by imprisonment not exceeding six months.

Penalty for neglect or refusal to deliver records to successor.

§ 91. Every school district clerk who shall neglect or refuse to deliver to his successor in office, all records, books, and papers appertaining to such office, shall be subject to a fine not exceeding fifty dollars.

Suits to recover moneys withheld by town superintendent.

§ 92. It shall be competent for any legally organized school district in this state, to commence suit on the official bond of the town superintendent of common schools of the town in which such district is situated, for the recovery of any moneys lawfully due and belonging to such district, in all cases where such town superintendent shall neglect or refuse, for the space of ten days from the time by law fixed therefor, to apportion and pay over to the proper officer of such district, the school moneys aforesaid.

Suit to compel the payment of school money.

§ 93. It shall also be competent for such school district, or the town superintendent of common schools, in case of default of the town treasurer or county treasurer to pay over to the town superintendent of the town in which such district is situated, the school moneys which by law should be paid over to such superintendent, to commence suit on the official bond of such town or county treasurer, for the recovery of such moneys.

§ 94. For the purpose of this act, the said school district, or the said superintendent, shall have full power and right

to commence suit in the name of the persons or officers to whom any bond as aforesaid shall be given, and to control and prosecute such suit without hindrance from the nominal plaintiffs to such suits, *Provided*, That such district or superintendent, as the case may be, shall be responsible for any costs that may be finally adjudged against the plaintiff. May commence suit in name of the persons or officers to whom bond is given.

§ 95. In the prosecution of suits under this act, a copy of the official bond sued upon, duly certified by the officer in whose custody such bond is placed by law, shall be deemed sufficient for all purposes of proof required in law, in said suits. And any suits under this act, in which the sum claimed to be justly due shall not exceed the sum of one hundred dollars, may be commenced and prosecuted before any justice of the peace in the same manner as other cases. Copy of bond to be proof.

§ 96. It shall be the duty of the town superintendent of each town, to make a map of all the school districts and parts of districts in his town, specifying the sections, parts of sections or other subdivisions therein embraced, and file the same with the town clerk on or before the first Monday of September next; and also a map of each district, in like manner, and file the same with the clerk of such district within the time above specified. And whenever thereafter any alteration shall be made in the boundaries of any school district, the town superintendent shall cause such alteration to be marked on the map and filed with the town clerk, and on the map of the district or districts affected by such alteration. In case of the formation of a new district, he shall furnish the clerk of such new district with a map thereof, and cause the same to be marked out on the map filed in the town clerk's office. Map to be made by town superintendent.

§ 97. Whenever hereafter, any amendment shall be made to the provisions of this chapter, it shall be the duty of the state superintendent to furnish a copy of such amendment to every school district in the state. Amendments to this act.

§ 98. Chapter nineteen of revised statutes "an act to amend chapter nineteen, title seven, part first, of revised statutes," approved March 6th, 1851;

"An act to confer certain powers upon organized school districts, and for other purposes;" approved March 11th, 1851;

Acts repealed.

"An act directing in what district personal property shall be taxed for school purposes," approved April 9th, 1852;

"An act to amend chapter nineteen, section seventy-three of the revised statutes," approved April 9th, 1852.

"An act to amend chapter nineteen of the revised statutes," approved March 19th, 1853;

"An act to amend chapter nineteen of the revised statutes of this state," approved March 29th, 1853;

"An act to amend chapter nineteen of the revised statutes," approved March 14th, 1853;

"An act in relation to appeals from the decision of the town superintendents," approved April 2d, 1853; and

"An act concerning school districts," approved February 25th, 1854, are hereby repealed.

To be published in pamphlet form

§ 99. The superintendent of public instruction is hereby instructed and directed to cause seven thousand copies of this act to be published in pamphlet form, including therein such rules, forms and regulations as he may deem necessary to carry into effect the provisions of this act; and when thus published it shall be the duty of the superintendent to distribute to each school district in this state one copy of the same, one copy to each town superintendent, one copy to the clerk of the board of supervisors of each county in the state, and one copy to each of the clerks of the several cities in the state.

§ 100 This act shall take effect and be in force from and after the first day of July, one thousand eight hundred and fifty-four.

Approved, April 1, 1854.

Chap. 81.

AN ACT *to authorize a loan to the University of Wisconsin.*

Published, April 25, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly do enact as follows:

Amount to be loaned.

§ 1. The commissioners of the school and university lands shall loan to the University of Wisconsin, an amount not exceeding fifteen thousand dollars, out of any money

now in the treasury and of the first that shall hereafter be received into the treasury of the principal of the university fund: *Provided*, That the board of regents shall by resolution apply for such loan; *And provided also*, That a majority of the whole number of regents shall vote, by yeas and nays, to be entered on their journal of proceedings, in favor of such resolution.

To be paid to order of board of regents.

§ 2. The money so loaned shall be paid under the order and direction of the board of regents of the University of Wisconsin, and shall draw interest at the rate of seven per cent. per annum, payable annually in advance, at the office of the state treasurer.

Purpose of the loan.

§ 3. The money so loaned shall be applied by said board of regents, to the construction of the second dormitory building of said University, on the foundation already laid on the grounds of said University.

Mode of paying interest.

§ 4, It is hereby made the duty of the state treasurer, annually, for ten years, to retain out of the moneys received into the state treasury from interest on the moneys loaned from the principal sum of the university fund, a sum equal to the annual interest on the sum loaned out of said university fund to the university of Wisconsin as hereinbefore provided, and to pay over the balance of the income of the university fund as directed by law.

Mode of paying principal

§ 5. After the expiration of ten years it shall be the duty of the state treasurer, annually, in addition to the interest on the sum loaned as hereinbefore provided, to retain out of the income of the university fund, a sum equal to ten per cent. per annum as the principal sum loaned as aforesaid to said university, till the whole loan shall be paid; *Provided*, That the regents of said university may at any time pay part or all of the principal sum loaned to said university under the provisions of this act.

Detailed estimate of current expenses of university.

§ 6. The fiscal year of the university shall terminate on the last day of December in each year; and hereafter it shall be the duty of the board of regents in their annual report to the governor, to make a detailed estimate of the current expenses of the university for the next succeeding fiscal year, showing the amount necessary to pay the interest on its debts, specifying the same—the amount of salaries of officers, professors and tutors, specifying the same, and the amount necessary for all other expenses and disbursements, in detail, which the governor shall communicate to the legislature, and after the expiration of

the present year no money shall be drawn from the state treasury by the board of regents, except in pursuance of an express appropriation by law.

§ 7. This act shall take effect from and after its passage.

Lands in grant county to be sold

§ 8. The commissioners of the school and university lands are hereby authorized to cause to be appraised and sold in the same manner that university lands have been heretofore appraised and sold, two sections of university lands in Grant county, and the governor is hereby authorized to appoint three commissioners to appraise the same, who shall perform their duties in pursuance of previous laws on that subject, and receive the same compensation that has heretofore been by the state for similar services, and a sum sufficient to pay the same is hereby appropriated out of the university fund.

Approved April 1, 1854.

Chap. 82.

AN ACT *to authorize the Librarian to purchase Reports of the Supreme Court.*

Published, May 6, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

To purchase reports.

§ 1. The state librarian is hereby instructed and authorized to purchase of Daniel H. Chandler one hundred copies of the reports of the decisions of the supreme court of the state of Wisconsin for the years 1849 and 1850, to be deposited in the state library, and distributed according to the provisions of chapter 22, section 2, of the revised statutes.

§ 3. Said reports shall be bound in one volume, in good workmanlike manner, and embrace the decisions of the years 1849 and 1850, and shall be furnished at the rate of

three dollars per volume—and payment shall not be made until one hundred copies of said reports shall be delivered to the governor or the secretary of state.

§ 3. This act shall take effect immediately after the compliance with the provisions thereof.

Approved, April 1, 1854.

Chap. 83.

AN ACT *to appropriate to Daniel H. Chandler the sum therein named.*

Published, May 6, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. The state treasurer is hereby authorized to pay to Daniel H. Chandler, the late reporter of the decisions of the supreme court, out of any money in the treasury not otherwise appropriated, the sum of three hundred dollars, in full compensation and satisfaction for one hundred volumes of the decisions of the late supreme court, being volume four of such decisions, for the year eighteen hundred and fifty-two; but such payment shall not be made until one hundred bound copies shall be delivered to the governor or to the secretary of state, for the state of Wisconsin, in conformity with title eight, chapter twenty-two, of the revised statutes. Amount appropriated.

§ 2. This act shall take effect immediately after the compliance with the provisions thereof.

Approved, April 1, 1854.

Chap. 84.

AN ACT *to provide for the purchase of the Reports of the Supreme Court.*

Published, May 4, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Governor to purchase reports.

§ 1. The governor is hereby authorized to purchase four hundred copies of the reports of the supreme court for the year one thousand eight hundred and fifty-three, at a price not exceeding four dollars per volume.

Mode of distribution.

§ 2. The copies purchased under the provisions of this act shall be disposed of as follows: one copy to each of the judges of the supreme and circuit courts, one copy to the clerk of the circuit court of each county in the state organized for judicial purposes, one copy to each of the administrative state officers, to be delivered over to their successors in office, one copy for exchange with each state of the United States, one for each of the departments of the United States government, and the remainder to be deposited in the state library.

§ 3. This act shall take effect from and after its passage.

Approved, April 3, 1854.

Chap. 85.

AN ACT *for the relief of William W. Brown.*

Published, May 8, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly do enact as follows:

§ 1. The governor of this state is hereby authorized to audit and settle upon just and equitable principles, the account of William W. Brown, for services as agent of this state in going to the city of Washington, and procuring

that portion of the grant of land made by congress to connect the waters of Lake Michigan and Rock River by a canal, sold by the late territory of Wisconsin, from being charged against the 500,000 acre grant made to this state by congress; and the sum of one thousand dollars is hereby appropriated out of the state treasury to the governor to pay the same.

Approved, April 1, 1854.

Chap. 86.

AN ACT *fixing the compensation of Supreme Court Reporter.*

Published, May 4, 1854.

The people of the State of Wisconsin represented in Senate and Assembly do enact as follows:

Compensation of reporter.

§ 1. The compensation of the reporter of the supreme court is hereby fixed at one thousand dollars per annum, which shall be payable quarterly out of any money in the state treasury not otherwise appropriated; said term to commence from the first day of June next. *Provided*, That this act shall not be so construed as to authorize the furnishing of any of the reports of the supreme court for any year heretofore authorized by any law of this state to be furnished.

§ 2. The said reporter shall furnish the state library at publisher's prices, two hundred copies annually of said reports.

§ 3. This act shall take effect from and after its passage.

Chap. 87.

AN ACT *supplementary to "an act to provide for the more speedy collection and payment of fines, forfeitures and penalties remaining in the hands of Justices of the Peace," approved February* 21, 1850.

Published, May 5, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Gov. to appoint agents.

§ 1. For the purpose of carrying out the provisions of this act, the governor shall appoint so many agents as he may deem necessary, who shall hold their offices for the term of two years, respectively, unless sooner removed by the governor; and he shall prescribe and from time to time may alter and fix the limits of the districts within which such agents shall respectively act.

Duties of agents.

§ 2. It shall be the duty of each such agent so often as he may have reason to believe it necessary, to call for, demand, and receive, and when necessary to sue for and collect all moneys heretofore paid to or received by any county or town officer, or other person, on account of any fine, penalty, or forfeiture the proceeds of which belong to the school fund or state treasury, and which have not been paid over by such officer or person as required by law, and all moneys which shall be hereafter paid to or received by any such officer or person, and which shall not be paid over within the time required by law. The production by such agent of his appointment, or of a copy thereof, certified by the secretary of state under the seal of the state, shall be *prima facie* evidence of his authority to make such demand.

§ 3. Any officer or person who has heretofore received any moneys specified in section two of this act, and who has failed or shall fail, as the case may be, to

pay over the same as required by law, and who shall fail to pay over the same to any such agent, lawfully demanding the same, shall be deemed to be guilty of an embezzlement thereof, within the meaning of section twenty-six of chapter one hundred and thirty-four of the revised statutes; and it shall be the duty of such agent, forthwith to cause prosecution therefor to be commenced against such delinquent officer or person. All suits and proceedings under this act shall be conducted according to the existing laws in respect to similar suits and prosecutions. Penalty for embezzlement.

§ 4. Such agent before receiving his appointment shall execute to the state treasurer a bond in such amount and form and with such sureties as the governor may prescribe and approve, conditioned for the faithful performance of his duties under this act, and for the payment of all moneys collected by him into the state treasury. He shall be entitled to retain in full for his services, and all other expenses, thirty per cent. out of the moneys collected by him, and shall pay the balance into the state treasury on the first day of January, April, July, and October in each year; and shall at the same time file with the treasurer a detailed statement, verified by affidavit, showing all the sums so collected by him, the officer or person from whom received, the time of receiving the same, and the person from whom the fine, penalty, or forfeiture was recovered. Agent to execute bond. Compensation.

§ 5. Every such agent shall have full power and authority to inspect and examine all records or papers of any court or officer concerning the proceedings in any suit instituted for the recovery of any fine, penalty, or forfeiture, or showing the disposition which has been made of any moneys received therefor.

§ 6. This act shall take effect from and after its passage and publication.

Approved, April 3, 1854.

Chap. 88.

AN ACT *to provide for International Literary exchanges with Mons. Alexander Vattemare of Paris, France.*

Published, May 2, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Volumes to be annually sent.

§ 1. Fifty bound volumes each of such of the several publications of this state as the governor may designate, be until otherwise provided, annually sent to Mons. Alexander Vattermare, the general agent of international exchanges, at Paris, France, under the direction of the governor and through the medium of the state historical society. And there is hereby appropriated out of any money in the state treasury not otherwise appropriated, a sum sufficient to meet the expenses of transmitting said volumes, not exceeding one hundred dollars per annum, to be drawn from the treasury on the warrant of the governor.

Volumes donated to historical society.

§ 2. Thirty bound copies each of the several publications of this state be and the same are hereby annually donated to the state historical society with which to augment its library by effecting exchanges with other societies and literary institutions, and that the same shall be delivered to said society by the secretary of state.

§ 3. This act shall take effect and be in force from and after its passage.

Approved, April 3, 1854.

Chap. 89.

AN ACT *to amend Article Four of the Constitution.*

Published, April 25, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Election of members of assembly.

§ 1. Section four of article four, of the constitution is hereby so amended as to read as follows: The members of assembly shall be chosen biennially, by single districts on the Tuesday next succeeding the first Monday of November, by the qualified electors of the several districts; such districts to be bounded by county, precincts, town or ward lines to consist of contiguous territory and so be in as compact a form as practicable.

Amendment to section 5 of article 4.

§ 2. The last clause of section five of said article is hereby so amended as to read as follows: The senate districts shall be numbered in regular series. The senators chosen by the present odd numbered districts, in the year 1854, shall hold their offices until the last day of December, one thousand eight hundred and fifty six. The senators chosen by the present even numbered districts, in the year eighteen hundred and fifty-five, shall hold their offices until the last day of December, one thousand eight hundred and fifty-eight. Thereafter senators shall be chosen for the term of four years, but the legislature at any new appointment, shall so classify the senators to be elected from any additional senate district, which may be formed, that the term of office of all senators elected from even numbered districts shall expire at the same time, and the term of office of all those elected from odd numbered districts shall expire at the same time.

Section 11, how amended.

§ 3. Section eleven is hereby so amended as to read as follows: The legislature shall meet at the seat of government once in two years, and not oftener, unless convened by the governor.

Mode of submitting amendments.

§ 4. The above amendments are hereby submitted to the people of the state in the following manner: At the general election on the Tuesday next succeeding the first

Monday of November next; each elector may vote for or against the first of the above amendments by depositing a ballot containing the following words: "For amendment to section four," or "against amendment to section four," and for or against the second of the above amendments, by depositing a ballot containing the words: "for amendment to section five," or "against amendment to section five," and for or against the third of the above amendments by depositing a ballot containing the words "for amendment to section eleven," or "against amendment to section eleven," and the votes given by any elector for or against any or all of said amendments, shall be on one ballot, and shall be deposited in a separate box prepared for the purpose. The qualification of the electors shall be the same, and the votes so cast shall be canvassed and returned in the same manner as in election for state officers, and the same notice of the submission shall be given; and if a majority of the electors voting on either of the above amendmements, shall vote in favor thereof, it shall thereafter be a part of article four, of the constitution of this state.

Mode of balloting.

§ 5. The first session of the legislature after the adoption of the above amendments, or either of them, by the people, shall be held in the year 1855.

Approved, April 3, 1854.

Chap. 90.

AN ACT *to amend Chapter four hundred and seventy-seven of the Session Laws of the year* 1852.

Published, May 2, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. Section two of chapter four hundred and seventy-seven of the session laws of 1852 is hereby so amended that the state prison commissioner shall be and he is hereby authorized to appoint one person to perform the duties

Officers appointed by State Prison Commissioners.

of turnkey of the prison, one person to be gate keeper, eight guards, and one overseer of each department of mechanical labor which is or may be established in the prison for the benefit of the state—all of which officers so appointed shall hold their offices during the pleasure of the commissioner.

Compensation of Deputy Warden, etc.

§ 2. Section five of said chapter four hundred and seventy-seven is hereby so amended, that the deputy warden and clerk of the state prison shall receive as a compensation for his services two dollars and fifty cents per day, the overseers of the stone department two dollars per day, the turnkey, guards, gate keepers, and each officer in each department of mechanical labor, except the stone department, one dollar and twenty-five cents per day, and the overseer in the cook's department one dollar and fifty cents per day.

§ 3. All acts or parts of acts contravening the provisions of this act are hereby repealed.

§ 4. This act shall take effect and be in force from and after its passage.

Approved, April 3, 1854.

Chap. 91.

AN ACT *to amend an act entitled an act to incorporate the Wisconsin Institute for the education of the Deaf and Dumb.*

Published, May 4, 1854.

The people of the State of Wisconsin represented in Senate and Assembly do enact as follows:

Officers of the corporation.

§ 1. Section seven of chapter four hundred and eighty, of the laws passed in the year of our Lord one thousand eight hundred and fifty-two, is hereby amended so as to read and be as follows: The officers of the corporation shall be, a president, secretary and treasurer, who shall be appointed by the board of trustees, the president to be

Compensation of trustees.

elected from their own number. The trustees shall receive the sum of two dollars per day, each, for their services for every day actually employed in the discharge of their duty as such trustees, from the commencement of such service, to be paid out of the state treasury in each year, but nothing shall be paid out of the treasury for any services rendered previous to this date.

§ 2. This act shall take effect from and after its passage.

Approved, April 3, 1854.

Chap. 92.

AN ACT *to amend chapter* 331 *of the Session Laws of* 1852.

Published May 2, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. The second section of chapter three hundred and eighty-one of the session laws of 1852, is hereby so amended as to read as follows:

"Sec. 2. The state librarian shall deliver to said literary institutions one copy each of the laws, journals, and other documents hereafter printed by order of the legislature, within ninety days after publication; or in case a sufficient number of any of such books or documents be not authorized to be deposited in the state library, and be deposited with the secretary of state, then the said secretary shall deliver to said literary institutions such volumes as are provided for in this act."

Distributing documents to literary institutions.

§ 2. This act shall take effect immediately after its passage.

Approved, April 3, 1854.

Chap. 93.

AN ACT *to amend chapter eighty-six of the Revised Statutes, and for other purposes.*

Published, April 11, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Civil jurisdiction of county courts repealed.

§ 1. All the provisions of chapter eighty-six of the revised statutes, and all other provisions of law conferring upon county courts jurisdiction to try and determine civil actions, appeals, or certioraris, are hereby repealed: *Provided*, That this act shall not affect the jurisdiction of said court in respect to probate matters or proceedings, and shall not apply to or affect the county court of the county of Milwaukee.

Proviso.

Terms of circuit court.

§ 2. There shall be held in each county of this state organized for judicial purposes, such number of jury terms and of law terms of the circuit court as the legislature may from time to time deem necessary, and provide for not less than two terms in each year. At such law terms the court may hear and determine all motions and questions of law, all suits or proceedings in equity, or other business not requiring a trial or inquest by a jury.

Suits transferred to circuit court.

§ 3. This act shall take effect on the first day of July next, and all suits and proceedings then pending and undetermined in any such county court, and which by the provisions of this act such court is not authorized to try and determine, shall forthwith be transferred to the circuit court of the same county, and by virtue of this act shall be deemed to be pending therein, and shall thereafter be proceeded with, tried, determined, and completed in the same manner as if originally commenced in or appealed to said circuit court.

Approved, April 3, 1854.

Chap. 94.

AN ACT *to amend chapter* 504 *of the Session Laws of* 1852.

Published, May 1, 1854.

The people of the State of Wisconsin represented in Senate and Assembly do enact as follows:

Rules for printing laws.

§ 1. Instead of printing the names of the president of the senate and speaker of the assembly at the end of the volume of laws, as provided in section fourteen, chapter five hundred and four of the session laws of 1852, there shall be prefixed to each volume of laws hereafter published, the name and residence of the several state officers, the senators and members of assembly, and the presiding officers and clerks of both branches of the legislature, at the time of the passage of such laws.

Distribution of journals.

§ 2. Six hundred copies of the journal of each house of the legislature shall hereafter be printed to be distributed as follows: one copy to each state officer and member and officer of the legislature; one copy to the governor of each state and territory for the library thereof; one copy to the register of deeds of each county, to be preserved in his office, and thirty copies to the state library to be preserved therein.

Safe keeping of revised statutes, etc.

§ 3. The revised statutes, session laws, journals, and documents remaining after the distribution provided by law, shall be safely kept by the secretary of state for the use of new counties and towns as they shall become entitled to receive the same. *Provided*, That thirty copies of every publication of the state and territory of Wisconsin shall remain in the state library. *Provided also*, That one copy of each of said publications shall be distributed to the bank comptroller, each justice of the supreme court, the state prison commissioners, and the library of the state historical society.

Approved, April 3, 1854.

Chap. 95.

AN ACT *concerning Treasurers.*

Published, June 1, 1854.

The people of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

Treasurer to keep account of taxes, and person for whom paid.

§ 1. It is hereby made the duty of every county treasurer to keep a full, true, and correct account of all moneys by him received for taxes paid to him, and upon redemption of lands from sales thereof for the non-payment of taxes in which amount shall be stated the name of the person or officer who and for whom the money is paid, the time when, and a description of the property whereon the taxes were to such treasurer paid.

Clerk of county board to keep a similar account.

§ 2. It shall be the duty of the clerk of the county board of supervisors, who is hereby declared to be the county clerk, to keep an account in like manner as is provided in the preceding section, as to all moneys by him paid over to the county treasurer; and also as to all moneys by him received for the redemption of land from sales thereof, and also as to all moneys that he may receive in his official capacity for any purpose or in any amount whatsoever.

§ 3. The accounts so as aforesaid kept shall be and are hereby declared to be public records.

§ 4. This act shall take effect upon being printed after the passage thereof.

Approved, April 3, 1854.

Chap. 96.

AN ACT *to allow appeals from the decisions of the Register of the State Land Office in certain cases.*

Published, May 1, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Appeals.

§ 1. In all cases where any person shall claim a pre-emption right to any land granted to this state to aid in the improvement of the Fox and Wisconsin rivers, which have been decided by the register of the state land office, it shall be lawful for any person feeling himself aggrieved thereby, whether such claim was contested before such register or not, to appeal to the circuit court of the county, where such land lies, at any time before the patent is issued thereon by the governor, pursuant to law.

Mode of bringing the appeal.

§ 2. The party bringing such appeal, shall serve a notice upon the person who has proved up his pre-emption claim before such register or upon some person in the possession of the premises in dispute, or in case no person shall be in possession of said premises, then by publishing such notice for six successive weeks in a newspaper printed in the county in which said land shall be situated, that he appeals from such register to the circuit court of such county, which notice shall be served as aforesaid, at least thirty days before the term of the circuit court at which the same shall be tried; said notice shall also specify the term of the court, at which the same will be brought to trial; said appellant shall at or before the time of serving or publishing said notice as aforesaid, file a copy thereof with the clerk of said court.

Bond to be given the opposite party

§ 3. The party bringing such appeal, shall execute and file with the clerk of the circuit court in which such land lies, a bond to the opposite party, with sufficient surety, to be approved by the circuit judge, of said circuit, conditioned for the faithful prosecution of such appeal and the payment of all costs that shall be adjudged against the appellant.

§ 4. The court in which any such appeals shall be tried, shall make an order awarding the land in question to the successful party and award cost against the losing party, and enter judgment therefor against such party for costs; said circuit court shall also ascertain, if either party require it, the value of the improvements made by any person upon such premises who claim a pre-emption right thereto, and who has obtained the certificate of the register of said land office pursuant to law, after the granting of such certificate. Court to make an order awarding land to successful party.

§ 5. The cases provided for by this act may be removed to the supreme court, by appeal or writ of error as in other cases, and said court shall on the hearing of any such case, by order affirm or reverse the order of the court below. Cases may be removed to supreme court.

§ 6. Upon the production of the order mentioned in the foregoing sections, certified to by the clerk of the proper court, that such determination has been made in favor of the party appealing, and also upon the production of the certificate of the clerk of said circuit court that said appellant has deposited with him for the use of the appellee, one dollar and twenty-five cents per acre for such land, together with interest thereon from the time the same was paid to the register or treasurer of said state land office, together with the value of the improvements thereon so found by said circuit court, in case there shall be any such improvements found to have been made thereon as aforesaid, to the governor of this state, it shall be his duty to give to the person to whom said land has been adjudged a patent under the seal of the state, and countersigned by the secretary of state, which shall vest in the purchaser, his heirs or assigns an absolute estate in fee simple. Patent to be given to person to whom land is adjudged.

§ 7. Such circuit court shall proceed and ascertain from the proofs in such case which shall be offered before said court, which of said parties are entitled to the pre-emption right of said lands in dispute, without any pleadings or issue in such case, other than is provided in this act. Court to ascertain which parties are entitled to pre-emption.

§ 8. Either party to said suit shall be entitled to have the same tried by a jury upon demanding the same as in other cases: *Provided*, This act shall not extend or apply to the county of Columbia.

§ 9. This act shall take effect and be in force from and after its passage.

Approved April 3, 1854.

Chap. 97.

AN ACT *to authorize the Secretary of State to make the proper entries in the books of his office for a final settlement with the Hon. S. Park Coon, a late Attorney General of this State, on account of Canal Land Mortgages.*

Published, May 2, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

§ 1. The Secretary of State is hereby authorized and required to allow and credit to S. Park Coon, a late attorney general of this state, the amount paid by said Coon to the state treasurer, and the amount paid by him to Ephraim Mariner, Esq., on account of the collection of canal land mortgages that were placed in his hands as attorney general, in the year 1851; and to make the proper entries in the books of the office of secretary of state, to show such payments. Also, to credit the said Coon in the books of said office for the mortgages returned by said Coon, uncollected.

§ 2. This act shall take effect immediately.

Approved, April 3, 1854.

Chap. 98.

AN ACT *to appropriate money for the Postage of the several State Officers.*

Published, April 27, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Appropriation.

§ 1. There is hereby appropriated to the post master at Madison, out of any money not otherwise appropriated the sum of twelve hundred dollars, or so much thereof as may be necessary to pay the postage of the office of gov

ernor, secretary of state, state treasurer, state superintendent, bank comptroller, attorney general, and clerk of the supreme court, for the year 1854, to be drawn quarterly from the treasury, upon the presentation of the postage accounts properly certified to by their respective offices.

Approved, April 3, 1854.

Chap. 99.

AN ACT *for the protection of Logs and Lumber found floating on the Wisconsin River.*

Published, April 22, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Property subject to the act.

§ 1. All logs, timber, shingles, and all kinds of lumber usually rafted and found floating on the Wisconsin river of this state, shall be subject to the provisions contained in this act.

Compensation for securing such property.

§ 2. Any person or persons finding so floating and securing such logs, timber, shingles, or any kind of lumber as mentioned in the first section of this act, exceeding in value ten dollars, shall be entitled to demand and receive of the owner or owners thereof ten per cent. of the value thereof, as a compensation for their services in securing the same; the value thereof to be ascertained by the parties if they can agree upon the same, and in case of their disagreement the same to be ascertained by three disinterested persons, or a majority thereof, two of whom shall be selected by the parties interested, and the third by the persons so selected; and shall have a lien upon such floating lumber so secured by them to the amount specified in this section.

To advertise such property.

§ 3. Any person or persons finding and securing any logs, timber, or shingles, or any kind of lumber mentioned in the foregoing section of this act, shall immediately

upon so finding and securing the same, or within ten days thereafter, advertise the same, giving a particular description thereof in kind, quantity, and quality, together with any mark upon such lumber so found and secured, in some weekly newspaper published in the county where the same may be so found, if any be so published, at least — weeks successively, and if there be no such paper published, notice shall be given by posting the same in at least four public places in the town where the same may be found and secured, at least six weeks successively; at the expiration of the time mentioned in this section for giving public notice, if such property shall remain unclaimed by the owner or owners thereof, they having failed to appear and make good their title thereto, the person or persons holding and advertising the same may proceed to sell the same at public auction, by giving at least ten days' notice of the time and place of such sale in some newspaper, or by posting up notices in at least three public places in the town where the same may be. The proceeds of such sale first to be applied in defraying all reasonable expenses incurred and contemplated by this act, and the balance to belong to the person or persons so finding and selling the same, unless claimed by the rightful owner or owners thereof within one year thereafter.

May sell unclaimed property at auction.

Disposition of proceeds.

§ 4. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by fine not less than five nor more than one hundred dollars for each offence, or by imprisonment in the county jail not less than one nor more than three months, or by both fine and imprisonment, at the discretion of the court.

Penalties for violating this act.

§ 5. Justices of the peace shall have concurrent jurisdiction with the circuit court of all cases arising under this act, when the property claimed shall not exceed in value the sum of one hundred dollars.

§ 6. This act shall take effect from and after its passage.

Approved, April 3, 1854.

Chap. 100.

AN ACT *relative to the Counties of Chippewa, Clark, and Jackson.*

Published, June 1, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Town line prescribed.

§ 1. The town line between townships twenty-four (24,) and twenty-five (25,) north, hereafter shall be the boundary line between the counties of Chippewa, and Jackson; and all that portion of the counties of Jackson and Chippewa, lying and being north of the town line between townships twenty-three (23) and twenty-four (24) and east of the range line between ranges four (4) and five (5) west and south of the town line between townships thirty-one (31) and thirty-two (32) north, shall be and hereby is attached to and made a part of the county of Clark.

Removal of county seat.

§ 2. At the general election of November next, the qualified electors of the county of Clark, as above bounded, shall have power to remove the county seat from its present location, on section two, of township twenty-four, of range two west, (Sec. 2, T. 24, R. 2, west,) to the west half of the north-west quarter of section number fourteen of township number twenty-four, of range number two, west (the west half of north-west quarter of Sec. 14, of T. 24, R. 2, west.)

Mode of balloting for removal.

§ 3. All votes given or cast upon said question of the removal of the county seat of said county of Clark shall be by ballot, which shall be either written or printed, or partly written and partly printed. Those voting for the removal of the county seat shall deposit a ballot in the following form: "For removal of County Seat," and those voting against the removal thereof, shall deposit a vote in the following form: "Against removal of County Seat" Such votes shall be received and canvassed and the returns thereof made in like manner as votes or ballots are received and canvassed for county officers; and if there shall be a majority of all the votes polled in said county

on that subject in favor of such removal of the county seat, the county seat of said county of Clark shall be located and established on the west half of the north-west quarter of section fourteen, of township twenty-four, of range 2 west, (west half of north-west quarter of Sec 14, T. 24 of R. 2, west.) And if a majority of all the votes polled on that subject shall be against the removal of said county seat, the same shall remain at its present location.

Clark county attached to Jackson for judicial purposes.

§ 4. The county of Clark is hereby attached to the county of Jackson for judicial purposes.

Officers to be elected at the next general election.

§ 5. The county of Clark shall be and constitute one town, and the board of town supervisors shall be and constitute the board of county supervisors of said county. At the general election in November next, there shall be elected a register of deeds, clerk of the board of county supervisors, a county surveyor, a county treasurer, and such other county officers as shall be necessary to carry into operation a full and complete organization for county purposes. The returns of said election shall be made to the clerk of the board of town supervisors, who shall proceed to canvass the same both for county officers and relative to the county seat, in like manner as if he were clerk of the board of county supervisors, and shall issue certificates in like manner of the result of said election.

§ 6. This act shall take effect and be in force from and after its passage and publication.

Approved, March 23, 1854.

JOINT RESOLUTIONS

OF THE

SENATE AND ASSEMBLY,

OF THE STATE OF WISCONSIN—SESSION OF 1854.

No. 1.

JOINT RESOLUTION *in relation to Swamp Lands.*

Resolved, by the Senate and Assembly of the State of Wisconsin, That the senators and representatives in Congress from this state be and they are hereby requested to urge upon his excellency the president of the United States the immediate compliance of the honorable secretary of the interior with the provisions of the act of congress passed September 28, 1850, entitled "an act to enable the state of Arkansas and other states to reclaim the swamp lands within their limits;" and that the governor of this state be requested to forward to his excellency the president of the United States, to the honorable secretary of the interior, and to each of our senators and representatives in congress a copy of this resolution.

Approved, February 14, 1854.

No. 2.

JOINT RESOLUTION *in relation to the State Prison.*

Resolved, by the Senate, (the Assembly concurring,) That the south wing of the state prison to be built at Waupun, be and the same is hereby required to be built of the length of two hundred feet, so as to contain at least two hundred and eighty cells, but in other respects as contemplated by the resolution of the senate and assembly, approved April 2d, 1853; this resolution, however, is in no wise to affect or to be construed as adopting or approving of any contract or contracts that may have been entered into by the late state prison commissioner with any person or persons, until such contracts shall have been approved by the governor, as required by law.

Approved, February 21, 1854.

No. 3.

JOINT RESOLUTION *relative to the State Prison grounds at Waupun.*

Resolved, by the Senate, (the Assembly concurring,) That the commissioner of the state prison at Waupun is authorized and instructed to proceed immediately to the building of a suitable fence around the prison grounds, without the formality of advertizing, as is now directed by law.

Approved, March 3, 1854.

No. 4.

JOINT RESOLUTION *in relation to D. D. Owen's Geological Survey of Wisconsin, Iowa, and Northern Illinois.*

Resolved, by the Senate and Assembly of the State of Wisconsin, That our senators in congress be requested to procure the senate of the United States to order a reprint of the report of D. D. Owen's survey of the mineral lands in Iowa, Wisconsin, and northern Illinois, with the accompanying illustrations, in the same style as the "Report of a Geological Survey of Wisconsin, Iowa, and Minnesota, &c., &c., by D. D. Owen, United States Geologist," published in 1852, by order of the U. S. Senate by Lippincott, Grambo & Co., which report was submitted by the president of the United States to the house of representatives, June 6, 1840, and is published in volume 4, part 2, of the executive documents of the second session of the 28th Congress, (Doc. No. 239.)

Resolved, That the governor of this state be requested to forward a copy of the foregoing resolution to each of the senators of this state.

Approved, March 8, 1854.

No. 5.

JOINT RESOLUTION *relative to old Soldiers.*

Whereas, The subject of the disposal of the public lands belonging to the United States has for sometime engaged the attention of public men; *And whereas*, the condition of the treasury does not require the proceeds of sale to be used for the ordinary purposes of government, *And whereas*, gratitude as well as justice to the soldiers who have been engaged in the wars of the Republic, has been deemed proper as manifested by the passage of act of Congress donating to soldiers of the late war

with Mexico, large tracts of land, *And whereas*, the soldiers of the war of 1812, are in every respect deserving of the same gratitude of the people, and a donation to them corresponding to their deserts, and the law granting to the Mexican soldiers would meet with general approval. *Therefore*

Resolved by the Senate and Assembly of the State of Wisconsin, That our Senators in Congress be instructed, and our Representatives requested to use their influence and vote for the passage of an act granting to each soldier one hundred and sixty acres of public lands in accordance with the request as published at the convention of soldiers, lately held in the city of Philadelphia.

Resolved, That the government of the United States should extend to the soldiers and widows of soldiers that remain of those who served in the last war with Great Britain, the benefit of the pension system that was created for and enjoyed by the soldiers and widows of the revolution.

Resolved, That the Governor be requested to forward a copy of the foregoing resolutions to each of our senators and members of congress.

Approved, April 3, 1854.

No. 6.

JOINT RESOLUTION *in relation to cheap Ocean Postage.*

Resolved by the Senate and Assembly of the State of Wisconsin, in Senate and Assembly convened, That it is the true policy of every National Government, to procure for its citizens the advantages of a regular and cheap correspondence with foreign countries, and that the establishment by all maritime nations, of a uniform rate of ocean postge, reduced to the lowest sum practicable, would tend to promote and extend the blessings of commerce and civilization, and to secure the peace of the world.

Resolved, That his excellency, the governor, be requested to transmit to the governors of the several states, and to our representatives and senators in congress, copies of these resolutions, to the end, that the government of the United States may be induced to co-operate in this important movement.

Approved, April 3, 1854.

MEMORIALS

OF THE

SENATE AND ASSEMBLY,

OF THE STATE OF WISCONSIN—SESSION OF 1854.

No. 1.

A MEMORIAL *to Congress for the establishment of a Mail route.*

To the Honorable, the Senate and House of Representa- of the United States, in Congress assembled.

The memorial of the Senate and Assembly, of the State of Wisconsin, respectfully represents:

That the interest and convenience of a large and densely populated portion of the country urgently require the establishment of a tri-weekly mail route from Pardeeville in Columbia county, via Montello in Marquette county and Dakota in Waushara county, to Stephens' Point, in Portage county. There now being a tri-weekly mail from Madison to Pardeeville, the establishment of this route would complete the connection between the great northern pinery and Madison, Galena and St. Louis, on much the best and shortest route, which can be obtained.

Your memorialists would therefore respectfully ask, that said route may be established as speedily as possible.

Approved, February 9, 1854.

No. 2.

A MEMORIAL *to the Postmaster General for increase of Mail service from Green Bay in Brown county, to Washington Harbor in Door county.*

To the Honorable the Post Master General of the United States.

The memorial of the Legislature of the State of Wisconsin, respectfully represents:

That the interest and convenience of a large portion of the citizens of this state, render it necessary to establish a weekly mail from Green Bay, in Brown county, to Washington Harbor, in Door county.

Your memorialists therefore respectfully ask that the mail service be established at the earliest period.

Approved, February 9, 1854.

No. 3.

MEMORIAL *to Congress for a Mail Route from Galena, Illinois by Potosi and Beetown to Prairie du Chien in Wisconsin.*

To the Honorable the Senate and House of Representatives in Congress assembled.

The memorial of the Senate and Assembly of the State of Wisconsin, sheweth:

That the interest and convenience of the north western, and western portions of this state require imperatively, the establishment of a weekly mail route from Galena, in the state of Illinois, by Potosi, Beetown, and Patch Grove in the county of Grant, to Prairie du Chien, in the county of Crawford.

Your memorialists would state that the large settlements of the western portion of this state, are subjected to much delay in communication, by the present mail route.

Your memorialists therefore request your honorable bodies to establish a post route on the above line, touching at the points aforesaid, and authorize the mail to be carried on said route tri-weekly.

Approved, February 10, 1854.

No. 4.

MEMORIAL *to Congress for an appropriation to complete the canal connecting the Mississippi River and the Grant River Slough, at Potosi, in Grant county.*

To the Honorable the Senate and House of Representatives, in Congress assembled.

The memorial of the Senate and Assembly of the State of Wisconsin, respectfully represents:

That Congress, by an act entitled "an act granting a section of land for the improvement of the Grant river at the town of Potosi, in Wisconsin Territory," approved June 15th, 1854, appropriated to the then territory of Wisconsin, a valuable section of land for the purpose of improving the navigation of the Grant River Slough, at the town of Potosi in this state. That the legislative assembly of the territory of Wisconsin, caused said section to be sold and the nett proceeds arising from said sale to be expended in the necessary clearing and grubbing of the land, and the excavation of a portion of the line of canal designed to be made, connecting the said slough with the Mississippi river.

Your memorialists further represent to your honorable body, that a careful and accurate survey and estimate of the contemplated improvement was made previous to the commencement of any work thereon, by Major Joshua Barney, an accomplished engineer of the United States army, and that from the estimate of the said engineer a

further sum of seventeen thousand three hundred and fifteen dollars will be amply sufficient to complete said improvement.

Your memorialists deem it unnecessary to enlarge upon the importance of said improvement to the interests of the western portion of this state, and the great and rapidly increasing commerce of the upper Mississippi, but would simply remark that the Potosi landing is the point from which a large amount of the products of the Wisconsin lead mines is shipped, and to which heavy shipments of merchandize are made during the season of navigation.

Your memorialists will further represent that the expenditure already made of the proceeds of the appropriation above referred to, was barely sufficient to commence the work, which will be entirely useless for the purpose of effecting said improvement unless an appropriation is made sufficient to complete the work according to the plan and specifications of the engineer.

Your memorialists therefore request that Congress will at its present session make an appropriation of the sum of seventeen thousand three hundred and fifteen dollars, for the purpose of completing said improvement.

Approved, February 11, 1854.

No. 5.

MEMORIAL *to Congress for a mail route from Prairie du Chien to Prairie du Sac.*

To the Honorable, the Senate and House of Representatives of the United States.

The Memorial of the Legislature of the State of Wisconsin respectfully represents.

That the interest and convenience of a large portion of the counties of Crawford, Richland, and Sauk would be greatly enhanced by the establishment of a weekly mail route from Prairie du Chien in Crawford county by the way of the Wisconsin River, on the north side thereof, to Prairie du Sac in Sauk county.

Your memorialis's would represent that there is no mail on the north side of the Wisconsin River running east and west through the counties of Crawford, Richland and Prairie du Sac.

Your memorialists further state that it would be of great benefit to the people residing in that district of our State, many of whom are now destitute of mail facilities, and your memorialists are of the opinion that the establishment of the proposed mail route would be a source of revenue to the department, affording mail facilities to a portion of the State rapidly filling up with enterprising settlers.

Approved, Feb. 15, 1854.

No. 6.

MEMORIAL *for mail route from Dodgeville in Iowa county, to Prairie du Sac in Sauk county.*

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

That the interest of a large and rapidly increasing number of citizens of Iowa and Sauk counties, require the establishment of a semi-weekly mail route from the town of Dodgeville. via Wyoming P. O. and Helena in Iowa county, and to Spring Green, Harris' Settlement, Sauk City, and to Prairie du Sac in Sauk county.

Approved, Feb. 21, 1854.

No. 7.

MEMORIAL *to the Post Master General for an increase of mail service from the city of Fond du Lac to the city of Oshkosh.*

The memorial of the Legislature of the State of Wisconsin respectfully represents:

That the interest and convenience of the citizens of Oshkosh and the surrounding country are deeply interested in the establishment of a daily mail from the city of Fond du Lac to the city of Oshkosh in the county of Winnebago, a distance of about twenty-five miles, in the place of the present tri-weekly mail.

Your memorialists therefore respectfully ask that the aforesaid increase of mail service may be granted at the earliest practicable period.

Approved, Feb. 21, 1855.

No. 8.

MEMORIAL *to the Prestdent and Congress of the United States, relative to the Chippewa Indians of Lake Superior.*

To His Excellency the President of the United States, and to the Senate and House of Representatives in Congress assembled:

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

That the inhabitants of the counties of La Pointe and Douglass have nearly unanimously signed a petition showing to your memorialists, that the Chippewa Indians in the region of Lake Superior are a peacable, quiet

and inoffensive people, rapidly improving in the arts and sciences: that they acquire their living by hunting, fishing, manufacturing maple sugar, and agricultural pursuits: that many of them have intermarried with the white inhabitants, and are becoming generally anxious to become educated and adopt the habits of the "white man."

Your memorialists would therefore pray His Excellency, the President of the United States, to rescind the orders heretofore given for the removal of said Indians, and that such orders may be given in the premises, as shall secure the payment to said Indians, of their annuities at La Pointe, in La Pointe county on Lake Superior, that being the most feasible point therefor.

And your memorialists also pray that the Senate and House of Representatives in Congress assembled will pass such laws as may be requisite to carry into effect such design and orders; and to encourage the permanent settlement of those Indians as shall adopt the habits of the citizens of the United States.

And your memorialists firmly believing that justice and humanity require that such action should be had in the premises, will ever pray, &c.

Approved, February 27, 1854.

No. 9.

MEMORIAL *to Congress for a Mail Route from Watertown in Jefferson County, to Waupacca, in Waupacca County, and a tri-weekly mail on the same.*

To the Honorable, the Senate and House of Representatives of the United States, in Congress assembled.

The memorial of the Legislature of the State of Wisconsin respectfully represents.

That the interest and convenience of a large portion of the counties of Marquette, Waushara and Waupacca are concerned in the establishment of a tri-weekly mail route from the city of Watertown, in the county of Jefferson,

by the way of Berlin in Marquette county, to Waupacca in Waupacca county, by the most direct and main traveled road.

Your memorialists would further represent that the establishment of said mail route, and mail service thereon, will be a great convenience and accommodation to large portions of the inhabitants of Fond du Lac, Dodge, Marquette, Waushara and Waupacca counties.

Your memorialists would therefore respectfully ask that the aforesaid mail route may be established at the earliest practicable period.

Approved, February 27, 1854.

No. 10.

MEMORIAL *to the President and Congress of the United States, relative to certain lands not ceded by the Chippewa Indians to the General Government.*

To His Excellency the President, and to the Senate and House of Representatives in Congress assembled.

The memorial of the Legislature of the State of Wisconsin respectfully represents:

That there is a tract of land about three fourths of a mile in width, from the St. Croix River to the St. Louis River, lying along the boundary line between the state of Wisconsin and territory of Minnesota, within said state of Wisconsin—the Indians' title to which has never been extinguished.

That the Chippewa Indians refuse to allow the government surveyors to complete their surveys; and also refuse to permit this state to exercise jurisdiction over said tract of land, greatly to the annoyance and injury of the citizens of this state.

Your memorialists therefore humbly pray that His Excellency, the President of the United States will cause such title to be extinguished, with all due diligence, to the end that no difficulties may arise between the state authorities and the Indians, or between the officers of this state, and those of the United States.

And your memorialists will ever pray, &c.

Approved, February 27, 1854.

No. 11.

MEMORIAL *to the Post Master General of the United States.*

To the Honorable, the Post Master General of the United States.

The memorial of the Legislature of the State of Wisconsin, respectfully represents:

That the interests and necessity of the citizens of Marathon, Portage, Marquette and Adams counties would be much advanced by your favorable consideration of this memorial, viz: the increase of mail facilities on the following routes:

Route, No. 13,794, from Portage City to Stevens' Point ia Packwaukee—three times a week.

Route, No. 13,783, from Stevens' Point to Wausau—vice a week.

And that the following routes may be established:

From Dell Prairie, via Quincy, to Necedah in Adams ounty—once a week.

From Wausau to Jenny Bull in Marathon county—ice a week.

Approved, February 27, 1854.

No. 12.

MEMORIAL *to the Senators and Representatives, in Congress assembled.*

To the Honorable, the Senators and Representatives in Congress assembled.

The memorial of the Legislature of the State of Wisconsin, respectfully represents:

That the interest and convenience of a large and well settled portion of this state would be greatly subserved by the establishment of a mail route on the Calumet road commencing at the village of Manitowoc, and terminating at Chillon in Calumet county in said state.

Your memorialists therefore respectfully ask, that the above mail route be immediately established, with such mail service thereon, as may be deemed necessary.

Approved, February 27, 1854.

No. 13.

MEMORIAL *to the Congress of the United States, for a Mail Route.*

The memorial of the Senate and Assembly of the State of Wisconsin respectfully represents:

That a large section of country in the south western portion of this state, with a numerous and increasing population, is not possessed of such mail facilities as the wants of the people imperatively demand.

Your memorialists would therefore pray your Honorable bodies to establish a mail route from Freeport in the state of Illinois, through Shullsburg, New Diggings, Lancaster and Hazle Green, in the state of Wisconsin, to Dubuque in the state of Iowa, and that the route be so established, as will insure to the people of said towns a regular tri-weekly mail.

Approved, February 27, 1854.

No. 14.

MEMORIAL *to Congress for the sale of certain lands and praying for the right of pre-emption to settlers thereon.*

The Memorial of the Senate and Assembly of the State of Wisconsin respectfully represents;

That the even numbered sections of land on the Fox River, in the State of Wisconsin, and within three miles of said river, were reserved from sale in the year 1848 for the purpose of being donated to the State of Wisconsin, for the improvement of the Fox and Wisconsin rivers, and that with such expectation, settlers went on to said lands and made large and valuable improvements with the intention of making said lands a permanent residence for themselves and families;

That many of such settlers have made improvements on said lands worth from one to two thousand dollars, each of which they are in possession of at this time, and that such improvements or lands are not subject to taxation for any purpose whatever.

That such settlers are very desirous of obtaining titles to said lands upon which they have improvements as aforesaid, to secure their improvements for themselves and families.

Your memorialists therfoere would pray that said lands be brought into market either by the general government or by donation to the State of Wisconsin, to be disposed of as the State shall see fit; and that all of said settlers on said lands have the right of pre-emption to them who reside on said lands, or have improvements on the same, to the amount of fifty dollars, at the time of the passage of a law, by your Honorable body, on said subject.

Approved, March 1, 1854.

No. 15.

MEMORIAL *to the Post Master General, for the establishment of a Mail Route.*

To the Honorable, the Post Master General of the United States.

The Memorial of the Legislature of the State of Wisconsin represents;

That the interest and convenience of the citizens of a thickly populated portion of country, are greatly interested in the establishment of a weekly mail from Depere via. Jerusalem, in Brown county, to Manitowoc in Manitowoc county.

Your memorialists therefore respectfully ask, that the mail service asked for, be established at the earliest period.

Approved, March 1, 1854.

No. 16.

A MEMORIAL *to the Post Master General, for increase of Mail service, on Routes* No.'s 13,699, *and* 13,-411.

To the Post Master General of the United States.

The Memorial of the Legislature of the State of Wisconsin respectfully represents;

That the interest and convenience of a thickly populated and extensive country, demand the establisment of an increase of mail service on routes, No. 13, 699; and 13, 711, so as to form a continuous daily mail route from-

Fond du Lac, via. Friendship, Black Wolf, Oshkosh, Vineland, Groveland, Neenah, Menasha, Appleton, Kaukauna, Wrightstown, and Depere to Green Bay.

Your memorialists therefore ask that the said increased mail service will be established at the earliest practicable period of time.

Approved, March 3, 1854.

No. 17.

MEMORIAL *to Congress for a Mail Route from Appleton to Waupacca.*

To the Honorable, the Senate and House of Representatives of the United States.

The Memorial of the Legislature of the State of Wisconsin respectfully represents;

That the interests of many citizens of a rapidly settling part of the State, will be promoted by the establishment of a mail route from Appleton, Outagamie county, along the plank road route via Hortonville, New London and Manchester, to Waupacca, Waupacca county.

Your memorialists therefore respectfully pray that the aforesaid mail Route may be established at the earliest practicable period.

Approved, March 8, 1854.

No. 18.

MEMORIAL *to Congress for a Mail Route.*

To the Hon. the Senate and House of Representatives of the United States, in Congress assembled.

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

That the interest and convenience of a large number of the citizens of the Counties of Dane, Iowa and La Fayette would be greatly enhanced by the establishment of a mail route from Madison, via Mt. Vernon, Primrose, Moscow, Fayette and Darlington to Shullsburg, distance, sixty miles.

Your memorialists would represent that the establishment of said mail route would be of the greatest importance to the people residing in that portion of the State.

Your memorialists would further ask that a semi-weekly mail service be granted on the aforesaid route, at the earliest practicable period.

Approved, March 16, 1854.

No. 19.

MEMORIAL *to the Post Master General for increase of service between Portage City and La Crosse.*

To the Honorable, the Post Master General of the United States.

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

That the inierest and convenience of a large portion of the citizens, and residents of the counties of Columbia, Sauk, Adams, Bad Ax and La Crosse, in this State as well as the counties through the middle portion of the

State, would be greatly enhanced by the establishment of a mail, tri-weekly on mail route No. 13,785, between Barraboo, La Crosse and Onalaska, and the extension of said route so that the same commence at Portage City.

Your memorialists would further represent that an increase of service on said mail route would be of the greatest importance to the inhabitants residing in that portion of the State, the present weekly mail being entirely inadequate to the wants and convenience of that community.

There being a United States land office at La Crosse, and many of the persons residing upon said route having business therewith—

Your memorialists would further represent that the mails from Madison, the seat of government of Wisconsin can be more speedily and conveniently conveyed to the north-western counties in the State, on this route than any other in the state.

Your memorialists therefore respectfully ask that the increase of service and the extension of said route No. 13,785, may be established at the earliest practicable period.

The governor of this State, is requested to forward a copy of this memorial to the honorable Henry Dodge, and the honorable Ben C. Eastman, senator and representative of this State, in Washington, immediately on its passage.

Approved, March, 23, 1854.

No. 20.

A MEMORIAL *to Congress, for the establishment of a Mail Route therein mentioned.*

To the Honorable the Senate and House of Representatives, of the United States, in Congress assembled.

The Memorial of the Legislature of the State of Wisconsin respectfully sheweth:

That the interest and convenience of all the citizens of northern Wisconsin, lying east of Wisconsin River, as well as those settled along the Mississippi River and its tributaries in this state, would be greatly enhanced by the

establishment of a mail route from some point on the Wisconsin River, to intersect the mail route on the Mississippi River.

Your memorialists would represent that the establishment of such a mail route would be of the greatest importance to the people residing in the northern part of this state, there being no communication only by mails to the southern part of the state, and thence up the Mississippi, a distance of three or four hundred miles, while a direct route would only be about fifty miles to the nearest post office on the Wisconsin River, to Black River Falls.

Your memorialists would therefore respectfully ask, that a mail route be established from the village of Plover in the county of Portage, via Grand Rapids on the Wisconsin River and Eagle Point on Yellow River, Black River Falls, to Onalaska, and La Crosse at the earliest practicable period.

Approved, March 23, 1854.

No. 21.

MEMORIAL *to the Post Master General for an increase of mail service between Beloit and Monroe.*

To the Honorable the Post Master General of the United States.

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

That the interest and convenience of the citizens of a large portion of the counties of Rock and Green require that the mail service between Beloit and Monroe, via Newark, Avon, Clarence and Juda, should be increased to a tri-weekly mail.

Your memorialists therefore respectfully ask that the said mail service be increased at the earliest period, believing, that the business of the community require it.

Approved, March 23, 1854.

No. 22.

A MEMORIAL *to the Post Master General for increase of mail services on Route No.* 13,791.

To the Honorable the Post Master General.

The memorial of the Legislature of the State of Wisconsin respectfully represents:

That the present mail service between the city of Watertown in Jefferson county and Portage City in Columbia county is altogether inadequate to the necessities of the business public, passing as it does through a portion of the country rich in agricultural resources, and thickly settled and between points whose business connnections are already of great importance and constantly increasing.

Your memorialists therefore respectfully ask that the services on the mail route above referred to may be increased to a daily mail.

Approved, March 23, 1854.

No. 23.

MEMORIAL *to Congress for an extension of Mail Route* 13,677 *in the State of Wisconsin.*

To the Honorable the Senate and House of Representatives of the United States in Congress assembled.

The Memorial of the Legislature of the State of Wisconsin respectfully represents;

That the interest and convenience of a large portion of the citizens of the counties of Jefferson and Dodge, would be greatly enhanced by the extension of Mail Route 13,677, from Jefferson in the county of Jefferson, via Johnson's Creek Post Office to the city of Watertown.

Your memorialists therefore respectfully ask that the aforesaid mail route may be extended at the earliest practicable period.

Approved, March 23, 1854.

No. 24.

A MEMORIAL *to Congress for an appropriation for the establishment of a light house at Kewaunee.*

The Memorial of the Legislature of the State of Wisconsin respectfully represents;

That the Harbor of Kewaunee in Kewaunee county is situated on the west side of Lake Michigan on the route usually traveled and run over by the regular lines of steamers plying between New Buffalo via Chicago, Kenosha, Racine, Milwaukee, Sheboygan, Manitowoc, and Twin Rivers to Green Bay, and that it is for the safety of all crafts navigating lake Michigan upon the said route, and for the interest and benefit of commerce generally, and as a matter of trade and profit that such steamers and other crafts should land at the harbor of Kewaunee, yet the navigators find the landing to be dangerous and unsafe, and at the loss of many lives heretofore, in getting in and out of the said harbour during the night or in heavy weather in the day time. It is believed that the erection of a light house, at or near Kewaunee, would wholly remedy the evil, and remove the danger, so as to make the landing and navigation practicable at all seasons, and at all times, for any crafts navigating the waters of lake Michigan, or the entire chain of lakes.

Your memorialists therefore pray your honorable body to make an appropriation of ten thousand dollars or such other sum as may be sufficient for the erection and establishment of a light house, at or near Kewaunee, in Kewaunee county, and your memolialists as in duty bound, will ever pray, &c.,

Approved, March 25, 1854.

No. 25.

A MEMORIAL *to Congress for the establishment of a Mail Route.*

To the Honorable the Senate and House of Representatives of the United States, in Congress assembled.

The memorial of the Legislature of the State of Wisconsin respectfully represents;

That the interest and convenience of a large number of the inhabitants of the county of Bad Ax require the establishment of a mail route from Viroqua, the county seat of the county of Bad Ax, via Bad Ax post office, and West Prairie to the village of Victory on the Mississippi River in said county.

Your memorialists would therefore, respectfully ask that the aforesaid mail route may be established at the earliest practicable period.

Approved, March 25, 1854.

No. 26.

A MEMORIAL *to the Post Master General for increased mail service from the city of Kenosha, to the village of Richland, in the State of Illinois.*

To the Honorable the Post Master General of the United States;

The memorial of the Legislature of the State of Wisconsin respectfully represents;

That the interest and convenience of a densely populated and extensive portion of country are concerned in the establishment of increased mail service on the mail route between the city of Kenosha, and the village of Richmond in the State of Illinois.

Your memorialists therefore respectfully ask, that semi-weekly mail service may be established on the mail route above referred to.

Approved, March 25, 1854.

No. 27.

MEMORIAL *for increase of mail service from Portage City, to Stevens' Point in Portage county.*

To the Honorable the Senate and House of Representatives of the United States.

The Memorial of the Legislature of the State of Wisconsin respectfully represents;

That the citizens of a densely populated portion of country labor under serious inconveniences, for the want of a semi-weekly mail on mail route No. 4,548, leading from Portage City, via Grand Rapids to Steven's Point in Portage County.

Your memorialists therefore respectfully ask your honorable body to grant the mail service required, at the earliest period.

Approved, March 31, 1854.

No. 28.

MEMORIAL *to Congress for a Mail Route,*

To the Honorable the Senate and House of Representatives of the United States of America.

The Memorial of the Senate and Assembly of the State of Wisconsin, respectfully represents;

That the interest and convenience of a large portion of the citizens of Dane and Green counties, would be greatly enhanced by the establishment of a tri-weekly mail route from Freeport in the state of Illinois, by way of Rock Grove, Spring Grove, and Albany, to Madison, in the state of Wisconsin, a distance of sixty miles.

Your memorialists therefore ask that said mail route may established at the earliest practicable period.

Approved, March 28, 1854.

No. 29.

A MEMORIAL *to Congress for mail service from Green Bay to Eldridge Mills in Oconto County.*

To the Honorable the Senate and House of Representatives of the United States.

The Memorial of the Legislatnre of the State of Wisconsin respectfully represents;

That the interest and convenience of the citizens of a thickly populated portion of country are concerned in the establishment of a weekly mail from Green Bay in Brown county, via Suamico, Pensuckey, Oconto to Eldridge's Mills, on the Oconto River, in the county of Oconto.

Your memorialists respectfully ask that the mail services asked for, may be granted at the earliest practicable period.

Approved, March 29, 1854.

No. 30.

A MEMORIAL *to Congress for mail services from Grand Rapids to Black River Falls.*

The Memorial of the Legislature of the State of Wisconsin respectfully represents;

That the citizens of a large portion of country are at present in great want of mail service from Grand Rapids in Portage county, to Black River Falls in Jackson county.

Your memorialists therefore respectfully ask your honorable body to establish a weekly mail route from Grand Rapids in Portage county, to Black River Falls in Jackson county, and they will ever pray, &c.

Approved, March 30, 1854.

No. 31.

MEMORIAL *of the Legislature of the State of Wisconsin, to the Congress of the United States, in relation to the "Homestead Bill," and praying a grant of the public lands to aid in construction of Railroads.*

The Legislature of the State of Wisconsin respectfully represents;

That they have observed with interest the progress and final passage through the House of Representatives, of the bill known throughout the nation as the "Homestead bill," and will hail its adoption as the the true national

policy for the disposition of the public lands, believing it to be the duty of every government, so to legislate, as to secure alike to every citizen so far as practicable, a homestead for himself and family, thereby equalizing wealth, and giving labor its just reward.

Your memorialists fully appreciate the importance to every state and community that highways for travel and transportation be constructed where nature has not provided them, so that frequent and easy intercourse may be had among the people; that agriculture, commerce, and the arts may be rapidly advanced; that our vast forests of pines, immense plains of prairies, and inexhaustible mines may be approached and made to yield by man's labor, to his wants; that the vast numbers of our fellow citizens who are now compelled to surrender their labor to capital for a mere suubssistnce, may speedily find a home on the great domain of our nation; therefore pray, that sufficient of the public lands may be donated to this State to aid in the construction of raiiways therein, so that the whole State may be thereby benefitted, and the public domain speedily settled. *Provided always;* That such donation shall be under the control of the state, with full power to direct the price, and manner of selling the lands so donated.

Your memorialists entertain the opinion, that the great benefit to be thence derived to our landless fellow citizens will be hastened and enhanced by the speedy construction of these great highways through the vast regions of the public domain to be traversed by them; that the whole state will thereby be greatly benefitted in its present condition and future development; and that the value of the remaining government lands will be materially increased, and their sale more speedily effected.

Provided, That any lands granted shall be constantly open to entry by actual settlers, at a rate not exceeding one dollar and twenty-five cents per acre, and in quantities not exceeding one hundred and sixty acres to any single individual.

And your memorialists will ever pray &c.

Approved, March 30, 1854.

No. 32.

A MEMORIAL *to Congress for a Mail Route from Green Bay, Brown county, to Washington Harbor in Door county.*

The Memorial of the Legislature of the State of Wisconsin respectfully represents;

That the citizens of a large portion of country are at present in great want of a mail route from Green Bay in Brown county, to Washington Harbor in Door county.

Your memorialists therefore respectfully ask your honorable body to establish a weekly mail route, from Green Bay, Brown county, to Washington Harbor, in Door county, and they will ever pray, &c.

Approved, April 1, 1854.

No. 33.

A MEMORIAL *to Congress for a grant of land for the benefit of a State Lunatic, a State Blind, and State Deaf and Dumb Asylum.*

To the Honorable the Senate and House of Representatives of the United States.

The memorial of the Legislature of the State of Wisconsin, respectfully represents:

That the rapid increase of the population of the state of Wisconsin has rendered it necessary in an early stage of its existence as a State, to provide institutions of humanity and charity; that the State of Wisconsin has as far as she has been able, manifested a praiseworthy and laudable zeal in responding to the calls of charity presented for

its consideration; that the Deaf and Dumb and the Blind Asylums have already been commenced, and partially provided for, and an Insane Asylum is much needed in this state; that the means necessary to endow and support these institutions, would be a heavy tax upon the citizens of the State, and that the means for that purpose cannot be raised without bearing heavily upon the tax payers.

The memorial would further represent that a large portion of the domain of the State, yet belongs to the general government, and is an immediate and direct source of revenue to the same; that a grant of at least five hundred thousand acres of land to the state of Wisconsin, to aid said state in founding and supporting the several asylums before mentioned, would enable the state to releive the sufferings of many, who, without such aid must remain in a condition of deplorable misery; that Congress has heretofore granted to other and older states, aid similar to what is asked for the state of Wisconsin.

Your memorialists would therefore respectfully ask that a grant of land be made to the state of Wisconsin, for the benefit of the Lunatic Asylum, the Deaf and Dumb, and the Blind Asylum.

Approved, April 1, 1854.

No. 34.

MEMORIAL *to the Congress of the United States for the creation of a Western Judicial District of the United States, in the State of Wisconsin.*

The Memorial of the Legislature of the State of Wisconsin respectfully represents;

That the daily increasing population of the state of Wisconsin, and the wants and commercial business of the state has rendered the establishment of a Western Judicial District necessary to the exigencies and demands of the people.

That the location of the District Court of the United States for the State of Wisconsin being at Milwaukee on the extreme part of the state, renders the attendance of parties, jurors and witnesses at such court coming from the western portion of the state in a degree burdensome and very expensive, and at times and in many instances oppressive.

We therefore respectfully ask your honorable bodies that a law may be passed, authorizing the creation of a Western Judicial District for the State of Wisconsin, to be composed of such selection of counties as by a line as nearly central in the state as possible, as may be deemed expedient.

Approved, April 3, 1854.

No. 35.

MEMORIAL *to the Post Master General for increase of service on Mail Route No.* 13,773, *and Route No.* 13,777.

To the Honorable, the Post Master General of the United States.

The Memorial of the Legislature of Wisconsin respectfully represents;

That the interest and convenience of a large number of the inhabitants of the counties of Bad Ax, La Crosse, and Jackson, in the state of Wisconsin, would be greatly enhanced by the establishment of a tri-weekly mail, on mail route No. 13,773, and 13,777 between Prairie du Chein and Black River Falls, via Bad Ax, Viroqua, Springville, Coon Prairie, LaCrosse, Onalaska, Lewis' Mills, Douglass' Mills.

Your memorialists are satisfied that from the rapid settlement of the country through which said mail routes pass, their settlement by people from all portions of our common country, as well as foreign countries, the unparalleled increase of towns and villages, and the necessary

augmentation of business and correspondence require a tri-weekly mail route, the weekly route being entirely inadequate to the wants of the people, and the business of the country.

Your memorialists therefore respectfully ask that the aforesaid increase of service on said route may be established at the earliest practicable period.

The Governor of this state is requested to forward a copy of this memorial to the Hon. Henry Dodge and the Hon. Ben C. Eastman, Senator and Representative of this State, at Washington, as soon as practicable.

Approved, March 28, 1854.

[NOTE.—In preparing these acts for publication, where a superfluous word has been found in the enrolled acts, it has been printed in the text in *italics*, and enclosed in parentheses, (*thus.*) Where a word or clause has been found necessary to sustain the context, or where one word has been obviously mistaken for another, the word or clause supposed to be proper has been supplied, but in brackets, [thus;] adopting a plan heretofore adopted in publishing the laws, for the sake of uniformity.]

Errata.—Page 59, Chap. 49, Sec 2, line 4, omit the word "*unless,*" before the words "under the hand," &c.

Page 131, Chap. 89, Sec. 1, line 8, for "so," read *to.*

Same page, Sec. 2, line 11 and 12, for "appointment," read *apportionment.*

STATE OF WISCONSIN, }
SECRETARY'S OFFICE, } ss.

I, ALEXANDER T. GRAY, Secretary of State of said State, do hereby certify, that the laws published in this book have been compared with the original enrolled acts deposited in this office, and that they appear to be correctly printed.

In Testimony Whereof, I have hereunto set my L. S. hand, and affixed the Great Seal of said State, at the Capitol in Madison, this 30th day of June 1854.

ALEXANDER T. GRAY,
Secretary of State.

APPROPRIATIONS.

No.	To whom and for what appropriated.	Amount.
1	John B. Jacobs, per diem and milage -	49 00
2	John K. Williams, chf. clerk (S.) - -	50 00
3	D. M. Miller, per diem, &c. - - -	38 00
4	D. N. Johnson, asst. clerk - - -	15 00
5	Edw. G. Ryan, int. jndgment and costs -	3132 36
6	Chas. E. Jenkins, witness fees - -	92 40
7	Theodore Lund, painting banner - -	200 00
8	Chas. M. Kingsbury, sgt. at arms 1852 -	8 00
9	A. E. Elmore, witness fees - - -	70 64
10	James Halpin, services sup't property -	116 66
	" " Team hire - - -	36 00
11	Ole Aslaksen, cutting wood, &c. - -	60 25
12	M. Martin, services in full to Jan. 10, '54	86 73
13	Reiner Bergatz, cutting, splitting wood, &c.	105 13
14	W. H. Howard, sheriff, Rock - -	100 00
15	James K. Smith, witness fees - -	54 70
16	Wilson Graham, " " - -	33 20
17	Hall & Pierce, books for State Sup't -	116 25
18	Patrick McDuffy, cutting wood, &c. -	33 00
19	J. Halpin, Stationery - - - -	512 98
20	Pat. Cosgrove, Sheriff of Kenosha co. -	182 50
21	F. S. Lovell, witness fees - - -	45 20
22	Orlo B. Graves, Sheriff Brown co. - -	124 50
23	Lafayette Kellogg, press, &c. - -	149 19
24	" " clk. Sup. ct. - -	214 18
25	John O. Henning, Plats - - -	24 00
26	H. L. Page, Shff. Mil. co. - - -	370 00
27	Wm, P. Clark, Shff. Bad Ax - -	106 00
28	Livsey & Carroll, labor, &c. - -	34 94

No.	To whom and for what appropriated.	Amount.
29	Chas. M. Mumford, shff. Iowa	57 00
30	John W. Hunt, Wisconsin Gazetteer	200 00
31	Jas. R. Doolittle, attorney fees	65 00
32	James Morrison, office rent, Wis. Ter.	362 46
33	Livsey & Co., services, &c. building	280 00
34	Turton & Sercomb, iron castings	40 57
35	Strong, Crappo & Russell, candles	107 50
36	J. Wright, stationery	67 23
37	Campbell, Brush & Co., labor & materials	347 62
38	Tibbitts & Gordon, merchandise	1209 91
39	Memhard & Williams, painting	47 00
40	J. F. Birchard, furniture	1228 24
41	Jesse M. Sherwood, sgt. at arms, Senate	690 00
"	Wm. H. Gleason, " Assem.	765 00
42	Bradford & Bro., merchandise	280 00
43	Thos. J. Otis, Sheriff	212 38
44	F. J. Blair, merchandise	59 06
45	W. P. Barns, ser. State Prison Com.	12 00
46	W. Slightam, Ice	45 00
47	La Crosse co., reward for Watts	200 00
48	Whittemore & Co., press & copy book	16 50
49	N. J. Emmons, witness fees	44 40
50	Perry Lee, shff. Columbia co.	50 00
51	Cary & Harrison, Printing	200 00
52	R. Jenkinson, shff. Fond du Lac co.	21 75
53	Chas. Piquette, pens	15 50
54	Geo. C. Pratt, witness fees	27 40
55	D. Casey, " "	73 60
56	D. Holt, stationery	84 55
57	R. B. Wentworth, publishing	14 00
58	Chas. B. Ellis, shff. Waukesha co.	85 12
59	" " "	52 50
60	Whittemore & co., stationery, Sup. ct.	587 24
61	Wm. R. Smith, transcribing	400 00
62	Matthias Martin, night-watcher	365 00
63	D. Atwood & B. Brown, State Printing	5947 64
64	State Prison Com., bal. to H. Brown	1520 00
64	State Prison Com., indebtedness	5590 00
"	" " current expenses	2500 00
65	Donaldson & Treadway, sundries	555 88
66	D. H. Chandler, witness fees	48 00
67	J. J. Loomis, taking testimony	22 75
68	J. Quintus, printing,	50 00

No.	To whom and for what appropriated.	Amount.
69	J. Quintus, printing,	50 00
70	Schœffler & Wendt, printing	100 00
71	Thos. J. Townsend, ex. trav. em'gt agt.	1350 00
72	P. L. Mossin, engraving	24 00
73	E. B. Wolcott, witness fees	38 64
74	James Halpin, sundries	831 60
75	T. D. Morris, shff. Racine co.	122 16
76	John Shaw, damages	1200 00
77	P. J. Fliescher, printing	110 00
78	Tibbitts & Gordon, goods	435 78
79	W. E. Cramer, printing and papers	63 25
80	H. Powers, clk. hire, Treas. office	120 00
	H. W. Gunnison, " "	60 00
	A. S. Wood, " "	195 00
	J. Fitzgerald, " "	600 00
	E. B. Kelsey, " "	39 00
81	Darwin Clark, furniture	321 72
82	J. C. Squire, plats	13 00
83	V. W. Roth, pens, &c.	31 50
84	Chas. Wheeler, D. Sgt. at arms	30 00
85	Chf. clk. Senate	750 00
	" Assembly	750 00
86	Wm. A. Wheeler & co., stationery	48 50
87	Pat Hynes, carting wood	16 00
88	A. D. Seaman, cushions	54 00
89	James Halpin, services	340 00
90	Strong, Crapo & Russell, candles	85 07
91	D. S. Durrie, stationery	24 86
92	C. B Ellis, coach hire	9 00
93	A. Klauber & co., merchandise	12 96
94	F. J. Blair, furniture	20 53
95	B. K. Miller, copies of record	4 50
96	H. N, Smith, committee	25 00
	C. A. Eldridge, "	25 00
	Ed. Lees, "	25 00
	Thos. West, "	25 00
	M. J. Thomas, "	25 00
97	W. M. Pyncheon, labor	49 45
98	A. F. Cady, correct error	50 00
	Deaf and Dumb, support	2000 00
	" out buildings	2000 00
	" erection of Wing,	5000 00
	Wis. Inst. Blind, support	3500 00

No.	To whom and for what appropriated.	Amount.
	Wis. Inst. Blind, construct central build'gs	12000 00
99	S. S. Conover, clothing State prisoners -	327 97
	" guarding - - -	495 00
100	Fratney & Hertzberg, Gov. Message, &c.	300 00
101	S. M. Booth, newspapers - - -	35 00
102	F. A. Utter, publishing - - -	17 00
103	Thos. Noyes, St. prisoners - - -	25 00
104	Cyrus D. Davis, witness fees - -	17 00
105	Schœffler & Wendt, publishing - -	43 00
106	J. D. Reymert, printing - - -	100 00
107	Jas. Kneeland, witness fees - - -	40 00
108	M. Martin, paste - - - - -	50 00
109	M. L. Sayles, state prisoner - - -	28 00
110	Simeon Mills, selecting land - -	408 00
111	J. B. Cross, witness fees - . -	36 00
112	S. E. Foote, " " - - -	22 00
113	C. A. Single, and others, laying out road,	317 00
114	E. Burdick, witness fees - - -	20 00
115	Schœffler & Wendt, publishing - -	100 00
116	Jas. H. Rogers, witness fees - -	16 00
117	Chas. H. Larkin, printing - -	44 00
118	Beriah Brown, ag. society - - -	1875 00
119	Jesse M. Sherwood, sgt. at arms senate -	242 00
	W. H. Gleason, " " assembly	242 00
	Wilson Torey, asst. sgt. at arms assembly	174 00
	Bostwick O'Connor, Asst. sgt. at arms Sen.	174 00
	C. H. McLaughlin, " "	174 00
	D. G. Snover, under officer assembly	132 50
	Joseph Wilson, " " - -	132 50
	E. Q. Hummerston, " " - -	132 50
	D. L. Thayer, " " - -	132 50
	M. Ames, " " - -	132 50
	J. D. Smith, " " - -	132 50
	A. Prater, " " - -	132 50
	A. F. Pillips, " " - -	132 50
	Saml. Ritchie, under officer Senate -	132 50
	Saml. Pierce, " " - -	132 50
	Chas. Wheeler, " " - -	132 50
	John Burke, " " - -	132 50
	H. S. Nickerson, " " - -	132 50
	C. R. Knight, " " - -	132 50
	J. Slightam, messenger Assembly -	155 00
	J. Lemmon, laborer, capitol - -	207 50

No.	To whom and for what appropriated.	Amount.
	M. Martin, laborer, capital	207 50
	John Burt, " "	207 50
	Thos. Glin, Sr., " "	207 50
	Pat. Toland, clk. for committees	290 00
	H. Quarles, asst. librarian	207 50
	Du Ray Hunt, clk, in Secty's office	207 50
	R. F. Wilson, services	10 00
120	J. Drummond, Witness fees	14 40
	Edward Button, " "	20 00
	J. E. Goodall, " "	14 00
	A. C. Ingham, " "	50 12
	C. Abbott, " "	8 00
	A. Mitchell, " "	58 00
	G. D. Dousman, " "	69 00
	C. Shepardson, " "	20 00
121	E. H. Janssen, bank work	500 00
122	S. Park Coon, costs "	677 86
123	J. C. Fairchild, crockery	15 37
124	B. F. Hopkins, telegraphing	22 50
125	Brown and Atwood, printing	10,455 31
126	E. A Calkins, clk. committee	129 00
127	E. C. Hull, newspapers	22 60
128	F. T. Hobbs, witness fees	20 80
129	Jas. Halpin, stationery	173 00
130	B. W. Griswold, witness fees	17 20
131	Rufus King & Co., newspapers	41 00
132	D. S. Durrie, stationery	50 34
133	Benton & Garfield, stationery, 1840	219 00
134	S. M. Booth, newspapers, 1853	35 00
135	Welstood, Hay & Co., engraving	288 70
136	Darwin Clark, furniture	61 50
137	James & Mariner, fees	14 00
138	Weed & Eberhard, stationery	546 66
139	Weed & Eberhard, stationery	33 25
140	" " "	832 76
141	A. Whittemore & Co., stationery	84 80
142	J. K. Isman, impeachment	8 75
143	P. Kane, witness fees	31 20
144	Seaton & Paul, newspapers	10 00
145	C, Foote, express chgs.	112 90
146	D. Atwood, newspapers	120 00
147	D. C. Bush, writing	182 00
148	R. W. Lansing, writing	50 00

No.	To whom and for what appropriated.	Amount.
149	H. L. Page, shff. Mil. co.	160 00
150	Du Ray Hunt, writing	10 00
151	John Crawford, a democrat, error in wit. fees	5 80
152	S. P, Coon, witness fees	82 00
153	B. B. Ludlam, writing	36 00
154	Levi Blossom, witness fees	72 00
155	W. S. Everts, solr's fees	40 00
156	D. Scott, contesting seat	116 15
157	Gray & Starks, ribbon	7 81
158	Chas. C. Clement, newspapers	65 25
159	A. V. Fryer, compiling and indexing	150 00
160	M. D. Miller, services as chaplain	83 00
	H. B. Gardner, " "	83 00
	O. S. Comfort, " "	83 00
	Chas. Lord, " "	83 00
	H. P. Powers, " "	83 00
161	J. D. Welch, labor "	262 16
162	Lewis Crowfoot, arresting prisoner	52 83
163	D. Holt, stationery	10 00
164	M. M. Wheedon, contesting seat	62 00
165	H. Brown, milage, &c.	187 00
166	Com. State Prison, expenses	7500 00
167	J. D. Morris, Shff. Racine co.	107 50
168	Weed & Eberhard, stationery	56 88
169	John Bullen, per diem, &c, St. P. Com.	106 08
170	J. C. Dowe, witness fees	49 40
171	Columbia Co., for keeping Leahey	68 85
172	W. S. Main, shff. Dane co.	498 87
173	James H. Knowlton & Jonathan E. Arnold, Attorneys and counsel in Imp't trial	2000 00
	J. S. Alban, per diem	120 00
	B. Allen, "	120 00
	A. M. Blair, "	120 00
	M. J. Bovee, "	120 00
	C. Bashford, "	120 00
	T. Bowen, "	120 00
	J. R. Briggs, "	120 00
	J. W. Carey, "	120 00
	Chas. Dunn, "	120 00
	E. M. Hunter, "	120 00
	G. R. McLane, "	120 00
	E. Miller, "	120 00
	J. Prentice, "	120 00

No.	To whom and for what appropriated.	Amount.
	B. Pinckney, " - - -	120 00
	D. C. Reed, " - - -	120 00
	H. N. Smith, " - - -	120 00
	J. W. Seaton, " - - -	95 00
	L. Sterling " - - -	120 00
	A. Stewart, " - - -	120 00
	D. S. Vittum, " - - -	120 00
	E. Wakely, " - - -	120 00
	J. T. Lewis, " - - -	120 00
	B. S. Weil, " - - -	120 00
	T. T. Whittlesey, - - -	120 00
174	Byron Sykes, safe for St. prison - -	150 00

STATE OF WISCONSIN, }
SECRETARY'S OFFICE, } ss.

I, ALEXANDER T. GRAY, Secretary of State, of the State of Wisconsin, do hereby certify that I have compared the foregoing list with the original acts of appropriations deposited in this office, and that the same is a complete list of all of the appropriations made at the last session of the Legislature, except such as are printed at length in this volume.

In Testimony Whereof, I have hereunto set my L. S. hand and affixed the great seal of the State, at the Capitol in Madison, this sixth day of April, 1854.

ALEXANDER T. GRAY,
Secretary of State.

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GENERAL ACTS

PASSED BY THE

LEGISLATURE OF WISCONSIN,

IN THE YEAR

EIGHTEEN HUNDRED AND FIFTY-FIVE;

TOGETHER WITH

MEMORIALS AND RESOLUTIONS.

PUBLISHED BY AUTHORITY.

MADISON:
CALKINS & BROUDFIT, PRINTERS
1855.

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1855.

LIST OF OFFICERS.

"SECTION 1. * * * There shall be prefixed to each volume of laws hereafter published the names and residence of the several State Officers, the Senators, and Members of the Assembly, and the Presiding Officers, and Clerks of both branches of the Legislature, at the time of the passage of such laws."—*General Laws* 1854, *Chapter* 94.

NAMES AND RESIDENCE

OF THE STATE OFFICERS, SENATORS, MEMBERS OF THE ASSEMBLY, PRESIDING OFFICERS, AND CLERKS OF BOTH BRANCHES OF THE LEGISLATURE, IN OFFICE AT THE TIME OF THE PASSAGE OF THE LAWS CONTAINED IN THIS VOLUME.

NAME.	OFFICE.	RESIDENCE.	
		NEAREST POST OFFICE.	COUNTY.
Wm. A. Barstow.....	Governor, ...	Waukesha, ...	Waukesha .....
Edward M. Hunter...	Private Sec'y of Gov'r	Madison	Dane .....
James T. Lewis.....	Lieut. Governor.....	Columbus	Columbia .....
Alexander T. Gray ...	Secretary of State....	Janesville	Rock .....
John W. Hunt.....	Asst. do	Madison	Dane .....
Edward D. Janssen,..	State Treasurer	Mequon River	Ozaukee .....
Daniel M. Seaver.....	Asst. do	Madison	Dane .....
Geo B. Smith.....	Attorney General	do	do .....
Hiram A. Wright.....	State Superintendent.	Prairie du Chien	Crawford .....
Samuel G. Stacy	Asst. do .	Madison	ane .....
Wm. M. Dennis.....	Bank Comptroller .:..	Watertown.....	Jefferson .....
A. Menges	Dep'y do	Madison	Dane .....
A. W. Starks	State Prison Com'r,..	Waupun	Dodge .....
August Kruer.....	State Librarian	Madison	Dane .....

NAME.	OFFICE.	RESIDENCE.	
		NEAREST POST OFFICE.	COUNTY.
John Q. Adams	Senator	Fall River	Columbia
Coles Bashford	do	Oshkosh	Winnebago
E. B. Bowen	do	Mayville	Dodge
Charles Clement	do	Racine	Racine
Amasa Cobb	do	Mineral Point	Iowa
Nelson Dewey	do	Lancaster	Grant
Charles Dunn	do	Cottage Inn	La Fayette
Charles A. Eldredge	do	Fond du Lac	Fond du Lac
William J. Gibson	do	Black River Falls	Jackson
H. H. Giles	do	Stoughton	Dane
B. G. Gill	do	Grafton	Ozaukee
L. P. Harvey	do	Shopiere	Rock
D. Howell	do	Jefferson	Jefferson
Jackson Hadley	do	Milwaukee	Milwaukee
Edwin B. Kelsey	do	Montello	Marquette
Joseph Loy	do	Green Bay	Brown
Edward McGarry	do	Milwaukee	Milwaukee
F. Paddock	do	Salem	Kenosha
James Rolfe	do	Jackson	Washington
J. D. Reymert	do	Denoon	Waukesha
James Sutherland	do	Janesville	Rock
David Taylor	do	Sheboygan	Sheboygan
T. H. West	do	Monroe	Green
E. Wakeley	do	Whitewater	Walworth
D. Worthington	do	Summit	Waukesha
S. G. Abbott	Member of Assembly.	Verona	Dane
E. Adams	do	Yorkville	Racine
Geo. Allen	do	Linn	Walworth
C. P. Barns	do	Burlington	Racine
James Bennett	do	Manitowoc	Manitowoc
Henry Blaizer	do	Mequon	Ozaukee
Joseph Bond	do	Mukwonago	Waukesha
John Boyd	do	Calumet	Fond du Lac
Luther Cary	do	Green Bush	Sheboygan
Reuben Chase	do	Wauwatosa	Milwaukee
W. Cole	do	Bee Town	Grant
Samuel G. Colley	do	Beloit	Rock
J. B. Cross	do	1st Ward Milwaukee	Milwaukee
R. H. Davis	do	Baraboo	Sauk
M. K. Delaney	do	Barton	Washington
Edwin Dewolf	do	Milwaukee	Milwaukee
D. L. Downs	do	Richmond	Richland
Jas. H. Earnest	do	New Diggings	La Fayette
Wm. H. Ebbetts	do	Fond du Lac City	Fond du Lac
Thomas Falvey	do	Racine	Racine
Wm. W. Field	do	Fennimore	Grant
A. Filer	do	Racine	Racine
James Fisher	do	Prairie du Chien	Crawford
George Gary	do	Oshkosh	Winnebago
John Gibb	do	Ixonia	Jefferson
Joseph Goodrich	do	Milton	Rock
B. F. Goss	do	Pewaukee	Waukesha
I. E. Goodall	do	4th Ward Milwaukee	Milwaukee
Harvey Grant	do	Tichora	Marquette

NAMES.	OFFICE.	RESIDENCE.	
		NEAREST POST OFFICE.	COUNTY.
W. Grant	Member of Assembly.	Hebron	Jefferson
John D. Griffin	do	Shields	Dodge
Smith K. Gunn	do	Prescott	Pierce
B. R. Harrington	do	Byron	Fond du Lac
S. P. Hollenbeck	do	Highland	Iowa
Daniel Hooper	do	Troy	Walworth
N. B. Howard	do	Magnolia	Rock
William Hull	do	Potosi	Grant
Willard Isham	do	Delavan	Walworth
Philander Judson	do	Bristol	Kenosha
N. M. Juneau	do	Theresa	Dodge
Amos D. Kirkpatrick	do	Dayton	Green
Peter Lavis	do	Greenfield	Milwaukee
Levi Lee	do	Elkhorn	Walworth
John Love	do	Mineral Point	Iowa
Morgan L. Martin	do	Green Bay	Brown
Walter D. McIndoe	do	Wausau	Marathon
F. G. Merriam	do	Lake Mills	Jefferson
A. Merrell	do	Charlestown	Calumet
Fred. Moscowitz	do	Milwaukee	Milwaukee
Jonathan Mosher	do	Stoughton	Dane
Edward O'Neil	do	Milwaukee	Milwaukee
Y. W. Parker	do	Metomen	Fond du Lac
Samuel Pratt	do	Spring Prairie	Walworth
Wm. H. Ramsey	do	Port Washington	Ozaukee
Alexander W. Randall	do	Waukesha	Waukesha
Q. B. Ribble	do	Horicon	Dodge
Patrick Rogan	do	Watertown	Jefferson
Samuel R. Rood	do	Packwaukee	Marquette
S. L. Rose	do	Beaver Dam	Dodge
John Ruan	do	Oak Creek	Milwaukee
Joliet Schwefel	do	Lebanon	Dodge
Joseph Schrage	do	Sheboygan	Sheboygan
J. M. Sherman	do	Burnett	Dodge
B. Smith	do	Erin	Washington
Perry H. Smith	do	Appleton	Outagamie
Chase A. Stevens	do	La Crosse	La Crosse
A. Taylor	do	Hazel Green	Grant
W. R. Taylor	do	Cottage Grove	Dane
George P. Thompson	do	Cross Plains	Dane
Absalom A. Townsend	do	Shullsburg	La Fayette
Alfred Topliff	do	Columbus	Columbia
A. H. Van Norstrand	do	Jefferson	Jefferson
Levi B. Vilas	do	Madison	Dane
N. H. Virgin	do	Platteville	Grant
Jesper Vliet	do	Milwaukee	Milwaukee
Solomon Wakeley	do	Whitewater	Walworth
Stephen Warren	do	Delafield	Waukesha
E. S. Welch	do	Neenah	Winnebago
W. T. Whitty	do	Shoneaw	Columbia
Joseph White	do	Cottage Inn	La Fayette
Geo. H. Williston	do	Janesville	Rock
C. C. Sholes, Speaker	do	Kenosha	Kenosha

PRESIDING OFFICERS AND CLERKS.

NAME.	OFFICE.	RESIDENCE.	
		NEAREST POST OFFICE.	COUNTY.
James T. Lewis	President of the Senate	Columbus	Columbia
Charles C. Sholes	Speaker of Assembly	Kenosha	Kenosha
Samuel G. Bugh	Chief Cl'k of Senate	Shullsburg	La Fayette
Wm. Pitt Dewey	Asst. do	Lancaster	Grant
David Atwood	Chief Cl'k of Assembly	Madison	Dane
N. M. Donaldson	Asst. do	Waupun	Fond du Lac

GENERAL LAWS

OF THE

STATE OF WISCONSIN,

TOGETHER WITH THE MEMORIALS AND RESOLUTIONS.

Chapter 1.

[*Published, March* 24.]

An Act to cede the jurisdiction of the State of Wisconsin over a certain piece of land therein described, to the United States,

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. That the jurisdiction of the State of Wisconsin over all that lot of ground situated, lying and being in the first ward of the city of Milwaukee, and bounded as follows, to wit: Commencing at the corner of Wisconsin and Milwaukee streets, thence west along Wisconsin street one hundred and twenty feet to an alley, thence north along said alley one hundred feet, thence east one hundred and twenty feet to said Milwaukee street, thence south along Milwaukee street one hundred feet to the place of beginning, being the south forty feet of lot five, and the whole of lot six, in block twelve in the first ward of said city, be, and the same is hereby ceded to the United States of America, and the same shall be exempt from taxation so long as it shall continue to be the property of the said United States: *Provided*, that this act shall in no wise destroy, impair, interfere with the jurisdiction of this state over wrongs, misdemeanors or crimes committed against the laws of this State, within the territory hereby ceded, nor in the service or execution of any legal process. Description of land ceded. Proviso.

SEC. 2. This act shall take effect from and after its publication.

Approved, January 25, 1855.

Chapter 2.

[*Published, April* 10.]

An Act to change the name of Joseph Kingston Bergestraser, to Joseph Kingston Burgster.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The name of Joseph Kingston Bergstraser is hereby changed to Joseph Kingston Burgster, by which name he shall be hereafter known in law for all purposes whatever.

SEC. 2. This act shall take effect from and after its passage.

Approved, January 29, 1855.

Chapter 3.

[*Published March* 24.]

An Act to repeal chapter 432 of the Session Laws of 1852, and chapter 34, 53 and 56 of the General Statutes of 1853.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Repeal of Emigrant agencies.

SECTION 1. Chapter 432 of the session laws of 1852, entitled "an act to provide for the establishment of a commissioner of emigration for the state of Wisconsin, in the city of New York," is hereby repealed.

SEC. 2. Chapter 34 of the general statutes of 1853, entitled "an act to amend chapter 432 of the session laws of 1852, entitled an act to provide for the establishment of a commissioner of emigration for the state of Wisconsin, in the city of New York," approved April 17th, 1852, is hereby repealed.

SEC. 3. Chapter 53 of the general statutes of 1853, entitled "an act to regulate the duties and to provide for paying the salary of the commissioner of emigration, and the expenses of the office, and making an appropriation therefor," is hereby repealed.

SEC. 4. Chapter 56 of the general statutes of 1853, entitled "an act for the appointment of a travelling emigrant agent," is hereby repealed.

SEC. 5. This act shall take effect from and after its passage.

Approved, January 29, 1855.

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Chapter 4.

[*Published March* 15.]

An Act to change the time for holding the Circuit Court in the counties of Marathon and Portage in the seventh judicial circuit.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Terms of court when held.

SECTION 1. The circuit court in the following named counties shall be holden at the time hereinafter mentioned, to wit: in the county of Marathon, on the third Monday of February and last Monday of August of each year: in the county of Portage, on the first Monday of March and the second Monday in September in each year.

When returnable.

SEC. 2. All process, proceedings and recognizances heretofore commenced or issued, or which may be commenced or issued, in or from said courts, or either of them, and all proceedings pending therein, or returnable thereto, whether by recognizance or otherwise, shall be held and taken as returnable at the times named in this act as the times for holding the said courts respectively.

SEC. 3. All acts and parts of acts contravening the provisions of this act, are hereby repealed.

SEC. 4. This act shall be published immediately, and take effect from and after its passage.

Approved, January 29, 1855.

Chapter 5.

[*Published March* 23.]

An Act to cede the jurisdiction of the State of Wisconsin over certain lands to the United States.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Description of land ceded.

SECTION 1. That the jurisdiction of the State of Wisconsin over five acres or less of land which may be selected by an officer of the United States Government, for light-houses purposes, to be located at or near the mouth of Fond du Lac River, in the county of Fond du Lac, and State of Wisconsin, be and the same is hereby ceded to the United States for the purpose of maintaining a light-house upon the same: *Provided*, That this act shall in no manner take away or interfere with the jurisdiction of this state for the purpose of serving or executing any legal process.

Proviso.

SEC. 2. This act shall take effect from and after its passage.

Approved January 29, 1855.

Chapter 6.

[*Published March* 15.]

An Act to postpone the April Term of the Circuit Court for Outagamie county, for the year 1855, and changing the terms of the Circuit Court for said county.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Terms of court When held

SECTION 1. The regular April term of the circuit court for the county of Outagamie, for the year 1855, is hereby postponed until the second Monday in May, of the same year.

When returnable.

SEC. 2. All writs of law or in chancery, venires, summons, process, indictments, recognizances, appeals, and all other proceedings whatsoever, made returnable or appertaining to the said April term of the said circuit court for the year 1855, shall be considered returnable, and apper-

taining to the May term of said court hereinbefore designated, as fully in all respects as though the same had been originally made returnable at the said term in May 1855: and all adjournments, appearances, continuances, motions and notices to said April term of said court shall be considered to appertain and belong to said May term of said court, any rule or law to the contrary, notwithstanding.

Change time holding courts

SEC. 3. Hereafter, the terms of the circuit court for the county of Outagamie, shall be held on the second Monday of May and third Monday of November, in each year.

SEC. 4. All writs at law or in chancery, summons, process, venires, indictments, recognizances, appeals, and other proceedings made returnable to the terms of said circuit court, now fixed by law, shall be returnable to the terms of said circuit court as the same are herein fixed; and all adjournments, appearances, continuances, motions and notices of any proceedings in said court, made or taken to any term of a date subsequent to the time when this act shall take effect, shall be held to be made and taken for the time herein fixed for holding the terms of said courts.

Repealing clause.

SEC. 5. So much of the act organizing the county of Outagamie for judicial purposes, approved March 15, 1852, as contravenes the provisions of this act is hereby repealed.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved February 14, 1855.

Chapter 7.

[*Published, March* 23.]

An Act to cede the jurisdiction of the State of Wisconsin over the lands therein described to the United States.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Description of lands ceded.

SECTION 1. That the jurisdiction of the State of Wisconsin over any tract of land at Port Ulao, which may be purchased and improved by the United States for the pur-

pose of erecting thereon a light house or beacon lights, and a keeper's dwelling, be, and the same is hereby ceded to the United States of America: *Provided*, That this act shall in no wise destroy or interfere with the jurisdiction of this state, for the purpose of serving or executing any legal process.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved, February 13, 1855.

Chapter 8.

[*Published April 4.*]

AN ACT to authorize Town Clerks to certify to the State Superintendent the amount of money assessed for the support of Schools, and to provide for levying a tax in certain cases.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Town clerks to certify to state superintend'nt

SECTION 1. Those towns that have not assessed, by direction of the board of Supervisors, an amount equal to one half the amount received from the School Fund, at the last annual apportionment, shall and are hereby authorized to certify through the clerks of said towns to the State Superintendent, such additional amounts as have been assessed for the support of schools.

How deficiency to be supplied.

SEC. 2. Those towns that have not assessed by order of the County Supervisors, and in addition thereto a sum of money equal to one half the amount received from the School Fund, are hereby authorized to supply such deficiency by an immediate assessment upon the taxable property of said towns, of such sums as shall be necessary, the same to be estimated and directed by the Board of Supervisors of the respective towns, to be levied and collected in the same manner as other taxes, and certified by the town clerk to the State Superintendent, previous to the 10th day of March, 1855.

SEC. 3. The State Superintendent is hereby authorized to apportion to the different towns that comply with the

requisitions of this act such sums of money as they may be thereby entitled to.

SEC. 4. This act shall take effect on and after its passage.

Approved February 13, 1855.

Chapter 9.

[*Published, March* 29.]

An Act to change the time of holding the fall term of the circuit court of Jefferson county.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The time for holding the fall term of the circuit court of Jefferson county, is hereby changed from the second Monday of October to the fourth Monday of September.

SEC. 2. This act shall take effect from and after its passage.

Approved, February 16, 1854.

Chapter 10.

[*Published March* 23.]

An Act to change the name of John Allcock to John All.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The name of John Allcock is hereby changed o John All, by which name he shall be hereafter known n law for all purposes whatever.

SEC. 2. This act shall take effect from and after its passage.

Approved February 17, 1855.

Chapter 11.

[*Published, March* 28, 1855.]

An Act to repeal an act entitled an act to organize the county of Oconto for Judicial purposes.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Sections repealed.

SECTION 1. Sections one, two, three, four and five of the act entitled an act to organize the county of Oconto for Judicial purposes, approved February 18th, 1854, are here. by repealed.

SEC. 2. This act shall take effect and be in force from and after its passage.

Re-attached to Brown co. for judicial purposes.

"And the said county of Oconto is hereby re attached to the county of Brown for judicial purposes; *Provided*, That no proceedings commenced and had in the circuit court of said county of Oconto, under existing laws, shall be affected by this act, but the same may be proceeded in to consummation and final judgment in the circuit court of said Brown county.

Approved, February 17, 1855.

Chapter 12.

[*Published, March* 28.]

An Act to change the name of Anna Morley to Emma Carpenter.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The name of Anna Morley, of the town of Madison, in Dane county, is hereby changed to that of Emma Carpenter, and by the last mentioned name she shall be hereafter known and recognized.

SEC. 2. The said Emma Carpenter, shall be known as the adopted daughter and heir of Stephen D. Carpenter, and his wife, Mary B. Carpenter, of said town of Madison, and entitled to all the rights and privileges, and subject

to all the duties of inheritance, support and maintenance, as fully and effectually, and in the same manner, as she might or should do, if she were the legitimate child of said Stephen D. Carpenter and Mary B. Carpenter.

SEC. 3. This act shall not take effect or be in force until the said Emma Carpenter, shall assent thereto in writing, under her hand and seal, and record the same in the office of the Register of Deeds, in and for the county of Dane.

Approved, February 17, 1855.

Chapter 13.

[*Published March* 19.]

An Act restoring the civil jurisdiction of the county court of La Crosse county.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. That the civil jurisdiction of the county court of La Crosse county, is hereby restored in accordance with the provisions of chapter eighty-six of the revised statutes, and the said court is hereby authorized to try and determine civil actions, appeals and certioraris in accordance with such provisions of law as were in force in relation to the jurisdiction of county courts, on the first day of April, A. D. 1854. Jurisdiction restored.

SEC. 2. The county court of La Crosse county, in addition to the powers and jurisdiction conferred on county courts by chapter eighty-six of the revised statutes, shall have and exercise powers and jurisdiction within said county equal to, and commensurate with the circuit courts of this state, in all civil cases where the amount in controversy shall not exceed the sum of five thousand dollars. *Provided, however*, That nothing herein contained shall be so construed as to confer equity or criminal jurisdiction upon said court. Jurisdiction how increased. Proviso.

SEC. 3. Parties to causes shall have the same right to writs of error from said county court to the supreme court as is now allowed by law from the circuit courts of this state. Parties have same rights to writs of error.

Petit jurors.

SEC. 4. A panel of jurors for each term of said court shall be drawn in the same manner as now is or hereafter shall be provided by law for circuit courts of said county, and the persons serving on such panels of petit jurors shall be paid at the same rate, and in the same manner as is now or hereafter shall be provided by law for the payment of petit jurors in the said circuit court of La Crosse county; and jurors for the trial of issues shall be drawn, empannelled, and sworn in the same manner as in the circuit court of this state; and said county court shall have, exercise, and use the same process for summoning such petit jurors as is now or may hereafter by law be used by the circuit court of this state.

Fees of judge.

SEC. 5. The fees and compensation of the judge of said county court, shall be as provided for judges of county courts, in chapter one hundred and twenty-one of the revised statutes, except that for all services in a cause wherein judgment is confessed by defendant, or cause disposed of without a trial, on the merits, or return of process, he shall receive two dollars for all services on a trial of a cause with a jury, including receiving and entering verdict, and rendering judgment; or if the jury are discharged, and a new trial ordered, or a cause otherwise disposed of, three dollars and fifty cents for hearing.

Jury terms

SEC. 6. The jury terms of said court shall be held on the third Monday of May, September and January, making three jury terms in each year.

May hold special or adjourned terms.

SEC. 7. The judge of said court shall have the same power to hold special adjourned terms of his court, as is now, or hereafter may be conferred upon the circuit courts of this state; and the said county court shall have the same power to issue special venires, and to summon talesmen to serve upon juries therein, as is now or hereafter may be conferred upon the said circuit courts of this state.

SEC. 8. The said county court of La Crosse county shall have and exercise all the powers of the circuit courts of this state in issuing final process, writs of attachment, and the whole subject of garnishee as now provided by law, and all laws and statutes relating to the same, shall be deemed to apply to said county court.

SEC. 9. All acts and parts of acts contravening the provisions of this act are hereby repealed, so far as may relate to the county of La Crosse.

SEC. 10. This act shall take effect and be in force from and after its publication.

Approved, February 24, 1855.

Chapter 14.

[*Published March* 15.]

An Act to change the time of holding the Circuit Court in Waupacca County, in the Seventh Judicial Circuit.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The spring term of the circuit court, in the seventh judicial circuit, for the county of Waupacca, shall hereafter be held on the third Monday of April, in each year.

SEC. 2. All acts and parts of acts contravening the provisions of this act, are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved February 14, 1855.

Chapter 15.

[*Published March* 2.]

An Act to amend the third section of the act for the quieting of Tax Titles, approved April 19, 1852.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. All persons are authorized to redeem land sold for taxes and which have heretofore been deeded, or may hereafter be deeded, their heirs, devisees, executors, administrators, or legal representatives, under and by virtue of the third (3) section of the act hereby amended, may pay the amount required to be paid or tendered by

How may be redeemed.

said section, to the clerk of the board of supervisors for the county wherein the lands to be redeemed are situated, for the use of the party holding such tax title, and such payment shall have the same effect as if made to the said party personally.

Duties of clerks

SEC. 2. The clerk of the board of supervisors on receiving the amount mentioned in the preceding section, shall execute a receipt to the party making such payment, mentioning the name of the grantee in such deed, describing the lands intended to be redeemed, and the amount by him received, and which receipt shall be evidence in all cases of the facts therein contained; and, if recorded as hereinafter stated within the time of redemption provided by the third section of the act hereby amended, shall have the effect fully to vacate and annul such deed and discharge all interest of the grantee, and his heirs, assigns or grantees, under or by virtue of the same. Such receipt may be recorded in the office of the register of deeds of the proper county, in the same manner and with like effect of conveyances of real estate.

SEC. 3. This act shall be published and take effect from and after its passage.

Approved Feb. 28, 1855.

Chapter 16.

[*Published, April* 11.]

An Act to give effect to an act entitled "an act to amend chapter eighty-six of the revised statutes and for other purposes," approved April 1854, relating to county courts.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Causes when transferred to circuit courts.

SECTION 1. All appeals and certioraris, and all civil actions of whatever name or nature, now pending in the county courts of this state, and which said county courts have not jurisdiction to try and determine, are hereby transferred to the circuit courts for the same counties in which said appeals, certioraries, or other civil actions are

pending, and shall immediately upon the passage of this act be deemed to be pending in such circuit courts.

SEC. 2. All appeals, certioraris, or other actions, removed from a justice of the peace, which the county courts of this state have not jurisdiction to try and determine, shall hereafter be taken directly to the circuit courts for the same counties in which said appeals, certioraris, or other actions may arise.

Writs of error.

SEC. 3. In all cases where a writ of error shall have been taken from the judgment of any county court to the supreme court, the remittitur shall be sent to the circuit court for the same county, and any further proceedings necessary to be had therein shall be taken in such circuit court, with like effect, as if the said judgment had originally been rendered in said circuit court.

Jurisdiction of circuit courts.

SEC. 4. Circuit courts in and for the counties of this state, wherein the county courts have not now jurisdiction to try and determine civil suits, shall have the same power, jurisdiction and control over all judgments, orders and proceedings heretofore entered, made or had in such county courts (except in probate cases) as the said circuit courts would or might have over the same if originally entered, made or had in such circuit courts. All executions hereafter issued upon such judgments shall be issued from the circuit courts, in the same manner and with like effect, and be made returnable at the same time, in the same manner, and the same proceedings may in all respects be had upon the same, as if the same were issued upon a judgment of the said circuit court; and proceedings to revive and carry into effect all such judgments and proceedings, as may be necessary, may be hereafter had in the circuit courts of the proper counties, as fully to all intents and purposes as though the same had been originally in the said circuit courts.

Executions how to be issued.

SEC. 5. The circuit courts of this state are hereby authorized to try and determine all appeals, certioraris or other actions pending or brought therein by virtue of this act.

Justice to make return.

SEC. 6. All causes in which an appeal or certiorari has been taken to the circuit court since the first day of July last, shall be proceeded with therein in the same manner as if they had been taken to the county court, and had been transferred by this act to the circuit court, and if the justice has failed to make a proper return in any such cause, he may be compelled to make such return at the

next term of the circuit court holden in the same county, after the passage of this act, or at such other time as the circuit court shall order.

Appeals from justice to circuit court.

SEC. 7. All appeals and certioraris from justices of the peace shall hereafter be taken to the circuit court of the same county, according to the provisions of law, which now regulate the taking of the same to the county court: and when, in any provision of law, relating to such appeals, certioraris, or other civil action, the words "county court," appear, the same shall be read circuit court; and all statutes regulating the proceedings in appeals and certioraris, in the county courts, shall apply to and govern such proceedings in the circuit courts.

SEC. 8. This act shall not apply to the county of Milwaukee.

SEC. 9. This act shall take effect immediately upon its passage and publication.

Approved February 28, 1855.

Chapter 17.

[*Published, April 6.*]

An Act to amend Section 20, of Chapter 89, of the Revised Statutes, and to provide for the more speedy collection of costs in criminal proceedings before Justices of the Peace.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section twenty, of chapter eighty-nine, of the revised statutes of Wisconsin, is hereby amended, by adding at the end of said section, the following proviso, to wit: "*Provided*, That if the complainant shall neglect to give said security, or shall neglect to pay such costs, then, in such case, the court before whom the cause is tried, may issue execution on said judgment against the person of the complainant, in the same manner and to the like effect as is now provided by law, in cases where execution may issue against a defendant in actions founded in tort.

SEC. 2. This act shall take effect from and after its passage.

Approved, March 3, 1855.

Chapter 18.

[*Published March* —.]

An Act to change the time of holding the Spring Term of the Circuit Court, in the County of Brown.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The spring term of the circuit court in and for the county of Brown, shall be held annually on the fourth Monday of May, instead of the fourth Monday of March, as now required by law; and all writs, process, indictments, appeals, recognizances, or other proceedings whatsoever, made returnable to the March term of said court, for the year eighteen hundred and fifty-five; and all adjournments, appearances, continuances, motions, and notices of any proceedings in the said circuit court, made or taken to the said March term, eighteen hundred and fifty-five, shall be held to be the May term for the year eighteen hundred and fifty-five. Change of terms of court.

SEC. 2. This act shall take effect from and after its passage and publication; and the secretary of state shall forthwith transmit by mail a printed copy of this act to the clerk of the circuit court of said county of Brown.

Approved March 3, 1855.

Chapter 19.

[*Published April* 13.]

An Act to provide for the purchase of Stationery for the use of the next Legislature.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. James Halpin, superintendent of public property, is hereby authorized to purchase all stationery necessary for the use of the next legislature. Halpin to purchase stationery.

SEC. 2. There is hereby appropriated out of any money in the treasury not otherwise appropriated, the sum of Appropriation:

twenty-five hundred dollars, as a contingent fund for the purchase of such stationery.

To give bond.

SEC. 3. The said James Halpin is hereby required to make out an account of the disposition of such fund to the proper committee of the next legislature, and he is also required to give a bond in the sum of thirty-five hundred dollars, to the state treasurer, with surety, which bond shall be approved by the Governor, for the faithful expenditure of the said sum of twenty-five hundred dollars, or so much thereof as may be necessary for the purpose mentioned in the first and second sections of this act; *Provided*, That before drawing any of said sum of twenty-five hundred dollars, the said James Halpin shall make and execute such bond to the state treasurer, with two or more sufficient sureties, to be approved by the Governor; *And provided also*, That the purchase of stationery made by the said James Halpin shall be by contract and said contract shall be let to the lowest bidder.

Approved March 6, 1855.

Chapter 20.

[*Published April 6.*]

An Act to change the name of Mary Key to Mary K. Foote.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The name of Mary Key is hereby changed to Mary K. Foote, by which last mentioned name she shall be hereafter known to all intents and purposes.

SEC. 2. The said Mary K. Foote shall be the child and heir-at-law of William H. Foote of Madison, Dane county, and State of Wisconsin, and all the obligations and duties of child to parent, and parent to child, shall pertain as fully between the parties herein mentioned, as in the case of natural parentage and descent.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 6, 1855.

Chapter 21.

[*Published March* 10, 1855.]

An Act to suspend the sale of School and University Lands except for purposes of settlement and cultivation.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Affidavit required of purchaser.

SECTION 1. Every person making application to purchase any portion of the School or University lands, or the agent or attorney of such person appointed by him in writing to make such application, shall be required to make affidavit before some officer authorized by law to administer oaths, and to file the same in the office of the secretary of state, or deliver it to the commissioners of school and university lands, that the applicant applies to purchase the lands therein described for his or her own use, and for the purpose of actual occupancy or cultivation, or for the use of an adjoining farm owned or occupied by said applicant; and the affidavit shall further stat ethat the applicant doesnot ownor hold in his own name, and that no person owns or holds for his use, any quantity of school or university lands which, together with those he applies to purchase, will not exceed three hundred and twenty acres; and unless such affidavit shall be made and filed, or delivered as aforesaid, the person applying shall not be allowed to purchase any portion of the lands described in his or her application; and every purchase of such lands not made for the purpose of actual occupancy or cultivation by the applicant, or exceeding the quantity above limited, shall be null and void: Provided, That no person shall purchase any pine lands without paying the whole of the purchase money at the time of the sale.

Quantity limited.

Proviso.

Pre-emption secured to purchaser.

SEC. 2. There is hereby secured to every person now settled, or having improvements upon, or who may settle upon subsequent to the passage of this act, any tract of school or university lands, the pre-emption right to purchase any amount of land not exceeding one hundred and sixty acres, embracing such settlement or improvement, and to be selected by the claimant in legal subdivisions at the appraised value thereof, exclusive of any improvement of settlement upon said lands by the person claiming the right of pre-emption thereto, or at the minimum price fixed by law, in case the lands shall be sold without appraisement; said right of pre-emption to be proven up in

Duties of pre-emptor.

the manner and subject to the conditions and proviso named in section two, of an act approved February fourth, eighteen hundred and fifty-one, entitled "an act to amend an act entitled an act to provide for the appraisal and sale of school lands, and for granting pre-emption rights thereon, approved February ninth, eighteen hundred and fifty."

Duty of commissioners.

SEC. 3. The commissioners of school and university lands shall include in one certificate of sale, as many distinct lots or tracts of such lands hereafter purchased by any person at the same time, either at public sale or private entry as such purchasers may request, and only one account shall be kept with such purchaser for all the lots or tracts included in the same certificate.

SEC. 4. This act shall take effect from and after its passage.

Approved March 6, 1855.

Chapter 22.

[*Published March* 12.]

An Act to provide for the sale of Forfeited School Lands.

The people of the State of Wisconsin, represented in Senate and Assembly do enact as follows:

Forfeited lands how to be advertised.

SECTION 1. Whenever any school or university lands shall have been forfeited for the non payment of either principal or interest, and shall have remained forfeited for three months, the school commissioners shall advertise such lands for sale, by publication of notices thereof for three months, in the newspaper published in Madison, in which the laws are officially published: and also in a newspaper published in the county where the lands lie, if there be any, and if not, then in some newspaper having general circulation in such county, and published nearest thereto. Such sale shall be made either in the county where the lands lie, or at the capitol, in Madison, on some day not less than three months nor more than six months after the first publication of notice in both of said papers; the notice shall specify the time, and place of sale, a de-

Where to be sold.

scription of the lands to be sold, the amount due thereon, and the names of the persons to whom the certificates of sale were issued.

SEC. 2. The owner of such lands, or any person for him, may, at any time before the sale, pay the amount due, with five per cent. damages and costs, and further proceedings on the sale shall cease; but if the same shall not be paid the lands shall be offered for sale at public auction, to the highest bidder; the minimum price at such re-sale shall be the amount due on the lands for principal and interest, with the cost of advertising and sale, the five per cent. damages, and all taxes unpaid, or tax liens; and if the lands shall not then be sold, they shall thereafter be subject to private entry at such minimum price, in the manner specified, in chapter twenty-four of the revised statutes. How may be redeemed.

SEC. 3. All acts or provisions of law which conflict with this act, are hereby repealed.

SEC. 4. This act shall take effect from and after its passage.

Approved, March 6, 1855.

Chapter 23.

[*Published April* 23, 1855.]

An Act to amend Chapter 126, of the Revised Statutes, entitled "Of informations in the nature of a Quo Warranto, and in certain other cases."

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Chapter 126, of the revised statutes, is so amended, that, whenever any citizen of this state shall claim any public office, which is usurped, intruded into, or unlawfully held and exercised by another, the person so claiming such office shall have the right to file in the supreme court, either in term time or vacation, an information in the nature of a quo warranto, upon his own relation, and with, or without the consent of such Attorney General, and such person shall have the right to prosecute said information to final judgment, in all other respects, as How amended

Proviso. provided in said chapter. *Provided*, He shall first have applied to the Attorney General to file the information, and the Attorney General shall have refused or neglected to file the same; and in such case he shall be liable for the costs, if he shall fail to establish his right to the office.

SEC. 2. This act shall take effect immediately after its passage.

Approved March 6, 1855.

Chapter 24.

[*Published April* 11.]

An Act to change the name of Susan E. Haskins to Susan E. Edgerton.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The name of Susan E. Haskins is hereby changed to Susan E. Edgerton, and by that name she shall hereafter be known in all courts and places.

SEC. 2. This act shall take effect from and after its passage.

Approved, March 6, 1855.

Chapter 25.

[*Published April* 23.]

An Act to appropriate certain sums of money to the Wisconsin Institute for the education of the Deaf and Dumb.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Appropriation. SECTION 1. There is hereby appropriated to the Wisconsin Institute for the education of the deaf and dumb five hundred dollars, for the purpose of erecting workshops and purchasing tools and implements for the use and instruction of the pupils in said institute.

SEC. 2. There is also hereby appropriated to said institute the further sum of six thousand dollars, for the support of the same during the present year, including the maintenance of the pupils therein, the payment of the salaries of the principal, the professors and assistants, and the other necessary current expenses thereof. How disbursed

SEC. 3. The said sums of money shall be expended for the above purposes under the direction of the trustees, who shall report to the Governor, at the close of the present year, a full and particular statement and account of the expenditure thereof, and they shall be paid out of any money in the treasury not otherwise appropriated.

SEC. 4. This act shall take effect from and after its passage.

Approved, March 6, 1855.

Chapter 26.

[*Published April* 11.]

An Act to change the name of George Satterlee to George William Meeker.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The name of George Satterlee, infant son of George Satterlee, Sen'r, of Iowa county, is hereby changed to George Willliam Meeker, by which last mentioned name he shall hereafter be known in all places whatsoever.

Approved March 6, 1855.

Chapter 27.

[*Published, April* 23, 1855.]

An Act to change the time of holding the circuit court in the counties of La Crosse, Bad Ax and Crawford.

The People of the State of Wisconsin, represented in Senate and Assembly do enact as follows:

SECTION 1. The circuit court in and for the county of La Crosse, shall be holden on the second Monday of May, Time of holding court changed in La Crosse county.

mann shall have assented and executed an instrument in writing, said instrument to be subscribed to by them, witnessed and acknowledged in the same manner as is now required in the execution of deeds, nor until said instrument so executed shall be recorded in the office of the register of deeds in the county in which the said Frederick William Knapp and wife resides.

SEC. 3. This act shall be in force from and after its passage.

Approved, March 10, 1855.

Chapter 30.

[*Published April* 12.]

An Act to change the name of John Adam Bitsch.

The People of the State of Wisconsin represented in Senate and Assembly do enact as follows:

SECTION 1. The name of John Adam Bitsch of the city of Milwaukee, Milwaukee county, Wisconsin, is hereby changed to that of John Adam Butsh, and by the last mentioned name he shall be hereafter known and recognized.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 12, 1855.

Chapter 31.

[*Published April* 17.]

An Act to regulate the filing of transcripts from justices' judgments and liens on real estate created thereby and for other purposes.

The people of the State of Wisconsin represented in Senate and Assembly do enact as follows:

SECTION 1. Whenever a party to a judgment rendered

before a justice of the peace, shall file a transcript thereof in the cases now provided by law, with the clerk of the circuit court of the county where such justices resides, to make such judgment a lien on any real estate of the person or persons, against whom such judgment was rendered, the party obtaining such judgment may take a transcript of the docket of such judgment, as entered in the office of such clerk of the circuit court, duly certified under the seal of said court, and may file the same in the office of the clerk of the circuit court of any other county, and such judgment shall thereby become a lien on any real estate of the party against whom such judgment was rendered in any county where the same may be filed.

Duties of clerk

SEC. 2. Any clerk of the circuit court of any county receiving such transcript and certificate, shall enter and docket the same as a judgment in courts of record; and on the request of the party in whose favor the said judgment may be, shall issue execution as now provided in case of judgments filed and docketed from a justice of the same county; and section one hundred and eighty five, of chapter eighty-eight of the revised statutes is hereby amended, by striking out the following words at the end of said section: "But no execution shall be issued thereon out of the circuit court until an execution shall have been issued by the justice and returned that the defendant has no goods or chattels whereon to levy the same."

SEC. 3. Every judgment of which a transcript shall be filed and docketed as herein directed may be received in the circuit court of the county in the same manner and with the like effect, as if such judgment had been obtained in that court.

SEC. 4. All acts and parts of acts conflicting with the provisions of this act are hereby repealed.

SEC. 5. This act shall take effect from and after its passage.

Approved, March 13, 1855.

Chapter 32.

[*Published March* 21.]

An Act to change the name of Henry Lewis Bromm to Henry Lewis Grimm.

The People of the state of Wisconsin represented in Senate and Assembly do enact as follows:

SECTION 1. The name of Henry Lewis Bromm, of the town of Mishicott, and county of Manitowoc, is hereby changed to Henry Lewis Grimm, and by the last mentioned name, he shall hereafter be known and recognized in law and equity and otherwise.

SEC. 2. This act act shall take effect from and after its passage. *Provided*, That said Henry Lewis Bromm shall file in the office of the secretary of state, his written assent to the change of his name as provided in this act.

Approved, March 13, 1855.

Chapter 33.

[*Published March* 21.]

An Act to provide for holding an additional term of the Circuit Court in Grant county, and such other special terms in the Fifth Circuit as the Judge thereof may direct.

The People of the State of Wisconsin represented in Senate and Assembly, do enact as follows:

Special term to be held.

SECTION 1. In addition to the terms of the circuit court of Grant county, as now provided by law, there shall annually be held a special term of said court, for the transaction of such business in law and equity, as may be brought before the court, as does not require the intervention of a jury.

SEC. 2. Such term shall be held at the court house in said county, on the first Monday in August in each year.

Judge authorized to hold special term in counties.

SEC. 3. The judge of the fifth judicial circuit is hereby authorized to hold one or more special terms in any county in his circuit, at such times as he may direct. A notice to the sheriff of such county five days before the time

fixed by him of such term, being sufficient notice for the holding of such term: *Provided*, That at such special term or terms, such business in law and equity may be considered and disposed of by the court as does not require the intervention of a jury. And neither this or any other law of the state shall be so construed as to require the said judge to hold any such special term or terms, unless the business of the court, in any county in his circuit, shall in his opinion require the same; and in no case shall said judge be authorized to order the summoning a jury to try causes at any such special term or terms in said circuit. Proviso.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 13, 1855.

Chapter 34.

[*Published April* 13.]

AN ACT to amend chapter 88, of the revised statutes, entitled "of courts held by justices of the peace."

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Either party to a final judgment rendered by a justice of the peace, may appeal therefrom to the circuit court of the county where the same was rendered, in the following cases: Appeals, when allowed.

1.—When the judgment, exclusive of costs, shall exceed fifteen dollars.

2.—When the judgment, exclusive of costs, shall not exceed fifteen dollars; and the party appealing shall state in his affidavit for an appeal, in addition to the facts required to be stated in other cases, that he has a valid claim against the opposite party of more than fifty dollars, as set forth in his pleadings in the suit.

SEC. 2. Sections 226 and 227 of chapter 88, of the revised statutes, entitled "of courts held by justices of the peace," are hereby repealed and the provisions of this act are substituted therefor. Sections repealed.

SEC. 3. This act shall take effect on the first day of July next.

Approved March 13, 1855.

Chapter 35.

[*Published March* 21.]

An Act to appropriate a certain sum of money to James Halpin, to purchase Stationery for the State Officers.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Halpin to purchase stationery.

SECTION 1. James Halpin, superintendent of public property, is hereby authorized to purchase all stationery necessary for all the several offices and departments of the state, for the year one thousand eight hundred and fifty-five.

Appropriation.

SEC. 2. There is hereby appropriated out of any money in the treasury, not otherwise appropriated, the sum of three thousand dollars as a contingent fund for the purchase of such stationery.

Required to give bond.

SEC. 3. The said James Halpin is hereby required to make out an account of the disposition of such fund to the proper committee of the next legislature, and he is also required to give a bond in the sum of four thousand dollars to the State Treasurer, with surety, which bond shall be approved by the Governor, for the faithful expenditure of the said sum of three thousand dollars, or so much thereof as may be necessary for the purpose mentioned in the first and second sections of this act: *Provided*, That before drawing any of said sum of three thousand dollars, the said James Halpin shall make and execute such bond to the State Treasurer, with two or more sureties to be approved by the governor: *And provided also*, That the purchase of stationery made by the said James Halpin, shall be by contract, and said contract shall be let to the lowest and best bidder.

Proviso.

Stationery to be purchased by contract.

SEC. 4. The said James Halpin shall from time to time furnish to the several offices or departments under the direction of the governor, such quantities of stationery as

may be necessary to the business of the same, and shall keep an account of the articles so furnished, for public inspection. The purchase of any stationery by any state officer, assistant, deputy, clerk, or other person employed in any department of any person or persons at the expense of, or to be charged to, the state is hereby prohibited; and no bill for any such purchase hereafter made, shall be considered or allowed.

Approved March 13, 1855.

Chapter 36.

[*Published April* 21.]

An Act to amend chapter eighty-nine of the revised statutes.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section twenty-eight, of chapter eighty-nine of the revised statutes is hereby amended so as to read as follows: "No assault, battery, or affray shall be indictable, but all such offences shall be prosecuted and determined in a summary manner by complaint made before a justice of the peace, and on conviction thereof, the offender may be punished by fine not less than five dollars nor more than fifty dollars, or by imprisonment in the county jail for a term not less than five nor more than fifty days, according to the nature of the offense." Section amended.

SEC. 2. Section thirty-three of said chapter eighty-nine of the revised statutes is hereby amended so as to read as follows: In all cases of conviction under the provisions of this chapter, the justice shall enter judgment for a fine and costs of prosecution against the defendant and shall commit him until the judgment is satisfied. Or he shall enter a judgment that the defendant be imprisoned in the county jail for a term not less than five nor more than fifty days, and shall forthwith commit the defendant for the term fixed by such judgment; and in all cases where the judgment shall be that the defendant be imprisoned in in the county jail, the justice may in his discretion enter a

further judgment, that the defendant pay the costs of the prosecution, and that he be held in imprisonment in said county jail until such costs be paid.

SEC. 3. This act shall not apply to any case of an assault and battery upon any officer while in the discharge of his duty, or to assaults, or assault and battery with intent to kill or maim.

SEC. 4. This act shall take effect from and after its passage and publication.

Approved March 13, 1855.

Chapter 37.

[*Published April* 12.]

An Act to amend an act entitled an act to provide for recording patents, chapter 48, session laws of 1850.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Chap. amended.

SECTION 1. That chapter forty-eight of session laws of 1850, entitled an act to provide for recording patents, be and the same is hereby so amended that duly certified copies of said patents mentioned in said act, from the record thereof in the general land office of the United States, certified by the commissioner, shall be admitted to record in the same manner, and the register of deeds shall receive the like fees as for recording the original patents mentioned in said act: *Provided*, That certified copies of said records, when said copies are so recorded, shall only be received as prima facia evidece of the facts therein stated, in the courts of this state.

Proviso.

SEC. 2. This act shall take effect and be in force from and after its passage and publication.

Approved, March 13, 1855.

Chapter 38.

[*Published April* 23.]

An Act to appropriate to the town of Sullivan the sum of seventy-two dollars ($72,00) out of the income of the School Fund.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby appropriated to the town of Sullivan, Jefferson county, and State of Wisconsin, to be drawn by the superintendent of common schools of said town the sum of seventy-two dollars ($72,00) out of the income of the school fund, that was not drawn and which belonged to said town for the year one thousand eight hundred and fifty four. Appropriation

SEC. 2. Said sum when drawn, shall be apportioned among the common school districts of said town as they existed at the time the same was due. How apportioned.

SEC. 3. This act shall take effect from and after its passage.

Aproved, March 13, 1855.

Chapter 39.

[*Published April* 12, 1855.]

An Act to change the name of Elizabeth Brooks and Virginia Brooks

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The name of Mrs. Elizabeth Brooks, of Whitewater, in Walworth county, is hereby changed to Elizabeth Drichman, and the name of Virginia Brooks, infant daughter of the said Elizabeth Brooks and of Fletcher Brooks, is hereby changed to Virginia Drichman.

SEC. 2. This act shall take effect as soon after its passage as the said Elizabeth Brooks shall file in the office of the town clerk of Whitewater, her written consent to the provisions of said act.

Approved March 13, 1855.

Chapter 40.

[*Published March* 20.]

An Act to amend chapter one hundred and twenty of the revised statutes, entitled "of the lien of Mechanics and others."

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of chapter one hundred twenty, Sec. amended. of the revised statutes shall be amended so as to read as follows: Every dwelling house and other buildings hereafter constructed, erected or repaired, all machinery hereafter constructed, put up or repaired in such manner as to become a fixture, within the state of Wisconsin, together with the right title and interest of the person or persons owning such dwelling house, building or machinery, in and to the land upon which the same shall be situated, not exceeding forty acres, or if within the limits of any incorporated city or village plat, the lot on which such dwelling houses, buildings or machinery shall be situated, not exceeding in extent one acre, shall be subject to the payment of the debts contracted for, or by reason of any work done or materials found, and provided by any brick layer, stone cutter, mason, lime merchant, carpenter, painter and glaizer, iron monger, plasterer, lumber merchant, machinist, or any other person employed in erecting or furnishing materials in the erection, construction, or repairing of such dwelling house, building or machinery, before any other lien which originated subsequent to the commencement of such house, building or repairs.

SEC. 2. Section two of said chapter one hundred twenty, shall be construed so as to comply with section one of this act.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved, March 15, 1855.

Chapter 41.

[*Published March* 12, 1855.]

An Act to divide the Fourth Judicial Circuit, and organize the Tenth Judicial Circuit, and to fix the times of holding the circuit courts in the counties of said Tenth Circuit.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Boundaries.

SECTION 1. From and after the first day of July, in the year eighteen hundred and fifty-five, all that portion of this state included between the counties of Brown, Kewaunee, Door, Outagamie, Oconto and Shawana, shall constitute and be a separate judicial circuit, to be known and designated as the tenth judicial circuit, and all that portion of this state included in the counties of Sheboygan, Fond du Lac and Winnebago, Manitowoc and Calumet shall constitute and be the fourth judicial circuit.

Terms of court when held.

SEC. 2. The terms of the circuit court to be holden in the several counties comprising the said tenth judicial circuit shall be held at the times now fixed by law.

Election of judge in tenth circuit.

SEC. 3. An election shall be held in said tenth judicial circuit for the election of a judge of the circuit court thereof in the several counties and precincts in said circuit, on the first Tuesday of May next. Such election shall be conducted and the votes canvassed in the same manner as at general elections for state and county officers. The inspectors or judges of said elections shall make returns thereof to the clerk of the board of supervisors of their respective counties, immediately after the same are canvassed, and the said clerk of the board of supervisors shall file the same in his office, and forthwith transmit a copy thereof to the governor of this state.

Votes to be canvassed.

SEC. 4. On the first Monday of June next, the governor, together with the secretary of state and state treasurer, shall proceed to canvass said returns, and the person having the highest number of votes shall be the judge elect of said tenth judicial circuit, and the governor shall transmit to the person so elected, a certificate of his election, under the seal of the state, and in case there shall be a tie, the governor shall forthwith proclaim the fact and order a new election in said circuit.

Judge to take oath.

SEC. 5. The judge elect, before he enters upon the duties of his office, shall take and subscribe the oath or affirmation prescribed by the constitution of this state, before

any officer qualified to administer the same. Such oath or affirmation shall be duly certified by the officer administering the same, and by said judge, filed in the office of the secretary of state.

Term of office of judge.

SEC. 6. Said judge shall enter upon the duties of his office on the first Monday of July next, and shall hold his office for the term of six years, and until his successor is elected and qualified. He shall have all the powers and jurisdiction conferred upon the circuit judges, receive like compensation, and have the same rights and privileges.

Election of judge in fourth circuit.

SEC. 7. The judge of the fourth judicial circuit to be elected on the second Tuesday of April next, shall be elected by the qualified voters of the counties composing said circuit, as established by the first section of this act.

SEC. 8. This act shall take effect from and after its passage and publication, and the secretary of state shall forthwith transmit a copy of the same to each of the clerks of the circuit courts within the organized counties mentioned in this act.

Approved March 16, 1855.

Chapter 42.

[*Published April* 12.]

An Act relating to the postage of the Legislature.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Appropriation.

SECTION 1. The state treasurer is authorized and required to retain in the treasury a sum not exceeding fifteen hundred dollars, to meet the appropriations made by this legislature for postage, and to pay such appropriations to the Post Master, on or before the first day of April next.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved, March 19, 1855.

Chapter 43.

[*Published April* 26.]

An Act to change the names of Cordelia Ann Kirby and Mary Elizabeth Kirby to Cordelia Ann Birchard and Mary Elizabeth Birchard, and to authorize their adoption as the children and lawful heirs of Harvey Birchard.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Harvey Birchard, of the city of Milwaukee, is hereby authorized to adopt Cordelia Ann Kirby and Mary Elizabeth Kirby, infant children of Caroline Kirby, late of said city, deceased, as his children and lawful heirs, by the names of Cordelia Ann Birchard and Mary Elizabeth Birchard, upon the execution and performance by said Birchard of the requirements in the third section of this act contained.

SEC. 2. The names of the said Cordelia Ann Kirby and Mary Elizabeth Kirby are hereby respectively changed to Cordelia Ann Birchard and Mary Elizabeth Birchard, and by the names last aforesaid, they may and shall hereafter be called and known in all cases and proceedings whatsoever.

SEC. 3. For the purpose of giving effect to the provisions of the first section of this act, and to signify his ratification and approval thereof, the said Harvey Birchard is hereby authorized and required to execute, under his hand and seal, attested by two witnesses, and acknowledged before judge of probate of Milwaukee county, a written declaration of his approval of the provisions of this act, and annex the same to a copy thereof, and file the same in the office of the judge of probate of Milwaukee county, within sixty days from and after the passage of this act; and the said judge of probate shall record the same in the records of wills and testaments: and from and after such recording as aforesaid, the said Cordelia Ann and Mary Elizabeth shall be taken and deemed to be lawful children and heirs of the said Harvey Birchard, and as such, in case of his death intestate, shall be as much entitled, and legally capable of taking and holding, by inheritance or descent, from the said Birchard, as though they had been born in lawful wedlock between him and their mother, the said Caroline Kirby, deceased.

SEC. 4. This act shall take effect in respect to the second section thereof from and after the approval thereof by the

governor, and in respect to the first and third sections thereof from and after the recording of the declaration specified in said third section.

Approved March 19, 1855.

Chapter 44.

[*Published April* 14.]

An Act to appropriate certain sums of money to the Wisconsin Institute for the Blind.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Appropriation.

SECTION 1. There is hereby appropriated to the Wisconsin Institute for the Blind, the sum of four thousand dollars, for the support of said Institute from the first day of October next to the first day of January, one thousand eight hundred and fifty-seven; and whereas the fiscal year for said institute has heretofore comenced on the first day of October, and the appropriations heretofore made for its support extend to the first day of October next, the fiscal year of said Institute shall hereafter commence on the first day of January.

When fiscal year shall commence.

When to be paid.

SEC. 2. There is hereby appropriated to said institution the further sum of five thousand dollars, to aid in the completion of the main building and the east wing for said institution, according to the plan of the same. This last named sum of five thousand dollars shall be paid out of the tax assessed in the year eighteen hundred and fifty-five and paid into the treasury in the year eighteen hundred and fifty-six.

Trustees to give bond.

SEC. 3. Before the receipt of the respective sums of money appropriated by this act, the board of trustees of said institution shall from time to time, execute such bonds and sureties as the Governor may require and approve, conditioned, for the faithful application of such moneys to the object specified in this act.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved, March 19, 1855.

Chapter 45.

[*Published March* 22.]

An Act to provide for the purchase of a certain number of copies of Webster's Unabridged Dictionary, and for their distribution to the several public schools of this state.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Superintend'nt authorized to purchase certain number copies.

SECTION 1. The state superintendent of public instruction is hereby authorized to purchase, on behalf of this state, a sufficient number of copies of Webster's Unabridged Dictionary of the English language, as revised by Professor Chauncey A. Goodrich, at a price not exceeding four dollars per copy, as may be necessary to supply each organized school district in the state with one copy thereof, and in case where there is more than one common school in a district, each school and department thereof, shall be furnished with one copy. The contract for the purchase of said books shall specify the time when they will be delivered by the publishers, which shall not be later than the first Monday of October, one thousand eight hundred and fifty-five.

When to be delivered.

Appropriation, and when to be paid.

SEC. 2. One half of the price of said books shall be paid on the fifteenth day of March, one thousand eight hundred and fifty-six, and one half on the fifteenth day of March, one thousand eight hundred and fifty-seven; and a sufficient sum is hereby appropriated for that purpose, to be paid out of the income of the school fund, as hereinafter provided.

Town superintendents required to rep't to superintendent.

SEC. 3. For the purpose of ascertaining the exact number of organized school districts and common schools in the state, the town superintendent of each town is hereby required, on or before the first Monday in June next, to report in writing to the state superintendent the number of organized school districts in his town, and the number of parts of organized joint districts, in cases where the school house of such joint district is situated within his town, giving the number of each district and joint district. In cases where there is more than one common school taught in a district, he shall report the same, with the number of departments in each such school.

Duties of state superintendent prescribed.

SEC. 4. It shall be the duty of the state superintendent, as soon as he shall receive the books as above provided, to forward a sufficient number of copies to the register of

deeds of each county in the state, whose duty it shall be to receive the same, to supply the several common schools therein, and at the same time, inform the town superintendent of each town, of the number of copies which he is entitled to receive from the register of deeds of his county, to be distributed to the several common schools in his town.

Duties of register of deeds prescribed.

SEC. 5. Whenever the register of deeds of any county shall receive the books, as provided in the last preceding section of this act, he shall forward immediately to the state superintendent a receipt for the same, in the form prescribed by said state superintendent, and shall deliver to the town superintendent, of each town in his county on application, the number of copies of said book it shall appear such town is entitled to receive, on presentation to him of an order from the state superintendent specifying the number.

Duties of town superintend'nt

SEC. 6. On receipt of such books the town superintendent shall deliver to the librarian of each organized school district in his town, one copy for each common school taught therein, and shall take his receipt for the same, and file it among the records of his office.

Such books to belong to district library.

SEC. 7. Such books, when received by the several districts in this state, shall be considered as belonging to the library of the district, and shall be subject to the same laws and regulations as other library books; but during the time a school shall be taught therein, it shall be and remain in the school room, for the exclusive use of the scholars and teachers of such school, and under the control of the teacher, who shall be responsible to the district for its loss, or for any unnecessary damage it may receive, the same as any other book of the district library.

Duty of state superintend'nt

SEC. 8. In making the annual apportionment of the income of the school fund among the several towns and cities of this state for the year one thousand eight hundred and fifty-six and seven, it shall be the duty of the state superintendent to deduct from the amount to which each town and city shall be entitled, according to such apportionment, an amount equal to one half the cost of the books furnished to the several common schools therein as herein before provided.

Duty of state treasurer.

SEC. 9. In certifying to the state treasurer the apportionment of the income of the school fund for the years mentioned in the last preceding section, the state superintendent shall state in such certificate the whole amount apportioned to each county, the aggregate amount deduct-

ed from the several towns and cities of each county, and the amount payable by him to the order of the county treasurer, and the amount so deducted from the amount apportioned to each county, shall be retained by the treasurer, and held subject to the draft of the state superintendent for the payment of the books herein authorized to be purchased.

SEC. 10. The register of deeds and town superintendent shall receive such compensation for the services required of them by the provisions of this act, as the county and town board of supervisors respectively shall deem proper. Fees of officers

SEC. 11. The provisions of this act shall be so construed as to apply to the superintendents of common schools of the several cities of this state, the same as to town superintendents.

SEC. 12. This act shall not apply to any district which may have been already supplied with a copy of said dictionary; and the town superintendent shall report to the state superintendent, pursuant to section three of this act such districts only as do not own a copy thereof, to be ascertained by him from the librarian of each district. *Provided*, The schools in the city of Milwaukee shall each be entitled to one copy.

SEC. 13. This act shall take effect and be in force from and after its passage.

Approved March 21, 1855.

Chapter 46.

[*Published May 2.*]

An Act for the relief of the purchasers of School and University Lands in this State.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. No sale by private entry heretofore made of any lot or lots of school or university lands in this state, shall be impeached or in any way impaired or effected by reason of failure of the applicant, at the time of such entry, to make a written application therefor, or of the Sec-

retary of State to file such application in his office, and the certificate of purchase shall be of as full force and effect as if a written application had been made and filed at the time of such private entry.

SEC. 2. This act shall take effect from and after its passage.

Approved, March 20, 1855.

Chapter 47.

[*Published April* 12.]

An Act to provide for more fully carrying into effect an act entitled "An act to authorize the business of Banking," approved April 19, 1852.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Whenever the securities deposited with the state treasurer to secure the redemption of the circulating notes of any bank, shall be sold in pursuance of sections twenty-three and twenty-four of the banking law of this state, the bank comptroller shall immediately destroy all the plates of such bank.

Accounts to be audited by comptroller.

SEC. 2. All the expenses incurred in the advertising and selling of stocks under the banking law of this state, shall be audited and allowed by the bank comptroller, and deducted from the proceeds of such sale.

SEC. 3. Whenever the proceeds of the sale of the securities deposited by any bank with the state treasurer to secure the redemption of its circulating notes, shall be insufficient to fully redeem the same, the bank comptroller shall certify the amount due upon the stockholders' bond deposited with him in pursance of section seventeen of the banking law of this state, which certificate shall be conclusive evidence in all courts and places, of the amount due thereon, and the comptroller shall in all cases immediately commence proceedings upon the bond, and when collected distribute the proceeds thereof, *pro rata*, among the holders of the circulating notes of such bank.

SEC. 4. The seal of the bank comptroller's office is hereby declared to be a public seal, and a description thereof

shall be deposited in the office of secretary of state, and all copies of documents, instruments, papers and writings filed or deposited in the office of the bank comptroller, and transcripts from the books of said office, certified with the said seal attached, shall be evidence in all cases equally and in like effect with the original.

SEC. 5. Whenever in the opinion of the bank comptroller, the bond executed in pursuance of section seventeen of the banking law of this state, shall be insufficient security, he is hereby authorized to demand and receive a new bond in lieu thereof, or as additional security, and the bond so received shall be as binding and obligatory upon the parties executing the same, as the original bond.

SEC. 6. Whenever any banking association is desirous of withdrawing its stockholders' bond filed with the bank comptroller, the bank comptroller may at his discreton, permit the same to be done, and shall receive a new bond in lieu thereof, and the bond so received shall be as binding and obligatory upon the parties executing it, as the original bond, and all bonds executed by any person or persons to the bank comptroller to secure the redemption of the circulating notes of any banking association, shall be binding and obligatory upon the parties executing the same, for the penalty contained in such bond.

SEC. 7. All bonds hereafter to be executed to the bank comptroller in pursuance to section seventeen of the banking law of this state, shall have a warrant of attorney thereto attached, authorizing a judgment to be entered up on the same, either in term time or in vacation, in any court of record in this state, or elsewhere, and no judgment so entered up shall be set aside or delayed in consequence of any error or informality in the bond or warrant of attorney, or in the proceeding in entering up the same; and it shall be the duty of the bank comptroller to immediately, upon his advertising for sale the securities deposited to secure the redemption of the circulating notes of any banking association, to enter up a judgment upon such bond, but no execution shall issue thereon until the securities deposited in such bank shall be sold, and then only for the amount due upon such bond.

SEC. 8. Nothing herein contained shall be construed to oblige the bank comptroller to accept any bond unless he is satisfied with the security, and this act shall take effect from and after its passage.

Approved March 20, 1855.

Chapter 48.

[*Published April* 23.]

An Act to authorize the State Superintendent to furnish school district clerks with blank forms on which to make their annual reports.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The state superintendent is hereby authorized and required on or before the first day of August in each year, to furnish to each school district clerk in the state a blank form, upon which such officer shall make his annual report to the town superintendents of his own town.

SEC. 2. This act shall take effect immediately after its passage.

Approved, March 21, 1855.

Chapter 49.

[*Published April* 11.]

An Act relative to the rights of married women.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Any married woman, whose husband, either from drunkenness, profligacy, or from any other cause, shall neglect or refuse to provide for her support, or for the support and education of her children; and any married woman who may be deserted by her husband, shall have the right, in her own name, to transact business, and to receive and collect her own earnings and the earnings of her own minor children, and apply the same for her own support, and the support and education of such children, free from the control and interference of her husband, or any person claiming the same, or claiming to be released from the same, by or through her husband: *Provided*, That if is denied by plea, that either of the causes enumerated in this act, as entitling the married woman to sue in her own name, exists, in point of fact, then the is-

Proviso.

sue upon this plea shall be tried and determined by the jury trying the case, with the other issues submitted. The issue upon this plea shall be tried and determined and by the jury trying the case, with the other issues submitted.

SEC. 2. That this act shall take effect from and after its publication.

Approved March 23, 1855.

Chapter 50.

[*Published March 29.*]

An Act in relation to Attorneys at Law.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Any person who has been duly admitted and licensed to practice as an attorney and counsellor at law, in the supreme court of the state of Illinois, and all other states in the Union, where counsel of this state are admitted as counsel of such state, on the same terms hereinafter prescribed, shall be admitted and licensed to practice as an attorney and counsellor at law and solicitor in chancery, in all the courts of this state, upon written application, signed by such person, and upon presenting to such court proof that he has been so admitted to practice in the supreme court of Illinois, and all other states in the Union, where counsel of this state are admitted as counsel of such state, on the same terms hereinafter prescribed and an affidavit of good moral character, and that he is a resident of said state of Illinois.

SEC. 2. It shall be the duty of any court of this state, upon application and proof aforesaid, to admit any attorney of the state of Illinois, and all other states of the Union when counsel of this state are admitted as counsel of such state, on the same terms hereafter prescribed, to practice, and to take and subscribe the usual oaths required by the laws of this state, in relation to attorneys at law in this state, and to issue a license as in other cases of admission of attorneys at law, and the clerk of such

court to enroll the same on his roll of attorneys as in other cases, and such attorney, so making the application as aforesaid, shall, upon receiving such license, be entitled to all the privileges of attorneys at law resident in this state.

SEC. 3. All acts or parts of acts conflicting with this act are hereby repealed, and this act shall take effect and be of full force from and after its passage.

Approved, March 23, 1855.

Chapter 51.

[*Published March* 26.]

An Act to provide for taking off from the County of Winnebago certain towns therein named, lying between the counties of Waupaca and Portage.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Electors to vote upon division of co.

SECTION 1. The qualified electors of the county of Winnebago shall vote for or against the division of Winnebago county, by striking off from said county town twenty-one, twenty-two, twenty-three, twenty-four and twenty-five north, in range ten, at the next annual town meeting, after the passage of this act.

Mode of ballot

SEC. 2. All votes given upon the question aforesaid shall be by ballot, upon, which shall be written or printed either the words "for division" or "against division." Said ballots shall be deposiied by the inspectors of election in a separate box, to be by them for that purpose prepared.

How to be canvassed.

SEC. 3. The votes cast as above provided, shall be canvassed, certified, and the result ascertained and declared by the same officers, at the time and in the manner provided by law for canvassing, certifying, ascertaining the result of elections for county officers, and such result, when so ascertained, shall by last canvassing officers be reduced to writing and by them certified to be in all respects true and correct, and when the same is so reduced to writing and certified, the clerk of the board of supervisors shall record the same in the county record book in his office, and shall thereafter, without delay, transmit the original

to the Secretary of State, at Madison, who shall upon receipt thereof, file and preserve the same in his office.

SEC. 4. This act shall be printed by the state printer immediately after the passage thereof, and when so published shall take effect and be in full force.

SEC. 5. The Secretary of State is hereby directed to transmit a copy of this act, under the seal of the state, to be published in the Oshkosh Courier and Oshkosh Democrat.

Approved, March 23, 1855.

Chapter, 52.

[*Published April* 13.]

An Act to change the name of Charles Adams to Charles Edgar Tabor.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The name of Charles Adams, infant, of Prairie du Sac, in the county of Sauk, is hereby changed to Charles Edgar Tabor, by which name he shall be hereafter known, to all intents and purposes.

SEC. 2. The person whose name is changed by this act, shall be the adopted child and heir at law of Thomas Tabor, of said county of Sauk, state of Wisconsin, and the obligation of parent to child, and child to parent, shall pertain as fully between the parties herein mentioned as in the case of natural parentage and descent.

SEC. 3. This act shall take effect and be in full force from and after its passage.

Approved March 24, 1855.

Chapter 53.

[*Published April* 13.]

An act to constitute Sidney S. Smith heir at law of Jesse R. Smith and Rheubey Smith.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. That Sidney S. Smith, of the town of Medina, in the county of Dane, be and hereby is constituted the adopted son and heir at law, of Jesse M. Smith and Rheubey Smith, his wife, of the town and county aforesaid, and he shall be entitled to all the rights and privileges of support, education and inheritance, as fully and effectually, and in the same manner as he might or should be if he were the legitimate child of the said Jesse M. Smith and Rheubey Smith.

SEC. 2. This act shall take effect from and after its passage: *Provided*, That the said Jesse M. Smith shall file in the office of the secretary of state his written assent, under his hand and seal, to the provisions of this act.

Approved, March 26, 1855.

Chapter 54.

[*Published April* 17.]

An Act to change the name of Albert Sickler and Albertine Sickler.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The names of Albert Sickler and Albertine Sickler, of the town of Dale, in the county of Outagamie, are hereby changed to those of Albert Boyer and Albertine Boyer, and by the last mentioned names they shall be hereafter known and recognized.

SEC. 2. The said Albert Boyer and Albertine Boyer shall be known as the adopted children and heirs-at-law of George Boyer, of said town of Dale, and the relative duties of parent and child shall exist, and may be enforced

between the said George Boyer and the said adopted children, as fully and effectually and in the same manner as if the said adopted children were the legitimate children of the said George Boyer.

SEC. 3. This act shall take effect and be in force from and after its passage; *Provided*, That said George Boyer shall file in the office of the secretary of state his written assent, under his hand and seal, to the provisions of this act."

Approved March 26, 1855.

Chapter 55.

[*Published April* 13.]

An Act to provide for an additional term of the Circuit Court for Waukesha County.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. In addition to the terms of the Circuit Court appointed to be held in the county of Waukesha, there shall hereafter be held annually, in and for said county, by the judge of the second judicial circuit, a term of said circuit court, commencing on the second Monday in June, and a petit jury for said term shall be drawn and summoned in the manner provided by law.

SEC. 2. A grand jury for such term may be drawn and summoned in the manner provided by law, whenever the judge of said court shall deem it necessary, and shall file with the clerk of the circuit court for said county, an order directing the summoning of such grand jury; and no grand jury shall be drawn for said term unless such order be made and filed as herein provided.

SEC. 3. This act shall take effect and be in force from and after its passage, and shall be published immediately.

Approved March 26, 1855.

Chapter 56.

(*Published April* 16.]

An Act to provide for the manner of paying to the state the tax on suits collected by the clerks of the circuit courts.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Duties of cl'ks circuit courts.

SECTION 1. The clerk of the circuit court of each county shall quarterly, on the first day of January, April, July, and October, or within five days thereafter, in every year, pay to the treasurer of his county, for the use of this state, the suit tax of one dollar required by law to be paid to the clerk, on every suit which has been commenced in the circuit court of his county during the three months ending on the last day of the month immediately preceding.

Clerk required to make report to secretary of state.

SEC. 2. The clerk shall take duplicate receipts from the county treasurer for the sums so paid, and on or before the tenth day of January, April, July, and October, in each year he shall forward to the secretary of state, at Madison, one of said receipts, and also a statement on oath of the number of suits commenced in the circuit court of his county during the three months ending on the last day of the month immediately preceding that date.

Duty of secretary of state in case of failure to make report

SEC. 3. If such statement, together with a receipt of the whole sum required by law to be paid to the clerk on the suits so commenced during the preceding quarters shall not be received by the secretary of state on or before the first day of the month next succeeding the time when such statement is above required to be transmitted to him he shall forthwith notify the judge of the circuit court within whose circuit such clerk resides, of the failure to transmit such statement, or receipt, or both as the case may be.

Duties of judge

SEC. 4. Whenever the circuit judge shall be notified of such failure he shall forthwith appoint a time not exceeding sixty days from the date of the notice hereinafter mentioned, and a place within his circuit, when and where such clerk shall appear before him show cause why he shall not be removed, for the reasons to be mentioned in such notice, and shall cause notice thereof to be served within ten days upon the clerk. If the clerk shall not upon such hearing show to the satisfaction of the judge that

he has complied with the provisions of this act he shall be liable to be removed from office, as provided in section five, of chapter eleven, of the revised statutes.

SEC. 5. Proceedings under this act may be of a summary nature, and the testimony shall be taken under such reasonable regulations as to time and place, and in such manner as the judge shall prescribe.

The testimony or affidavit of the clerk may be received in respect to the fact of his having transmitted a return, but no on other point.

Duties of co. treasurer.

SEC. 6. Moneys paid to the county treasurer pursuant to this act, shall be paid over by him upon the order of the state treasurer, and any such moneys remaining in his hands at the time when he is required by law to pay the state tax to the state treasurer, shall be paid therewith into the state treasury.

SEC. 7. This act shall take effect from and after its passage and publication.

Approved, March 29, 1855.

Chapter 57.

[*Published April* 20.]

An Act to provide for entering up and docketing final judgment in vacation in certain cases.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. In all cases wherein, in any court of record in this state, the defendants default in any suit, and an order for interlocutory judgment therein shall have been or may hereafter be duly entered, according to the rules and practice of the court, the plaintiff may at the time of entering of such default or order as aforesaid, or at any time afterwards in term time or in vacation of such court, enter or cause to be entered an order in the common rule book, kept by the clerk of such court, that the said clerk assess the plaintiff's damages, or that a writ of inquiry issue to the sheriff of the proper county for that purpose, as the nature of the case may require, and such assessment may at any time thereafter, be made accordingly.

SEC. 2. Upon the making of the assessment and report thereof by the clerk, specifying the amount of the debt or damages by him ascertained and assessed and the time of making the assessment, or upon the return of the writ of inquiry and of the report of the assessment and inquisition by the proper sheriff's jury, the clerk of such court shall immediately append thereto, the amount of final judgment in the proper and usual form, for the debt or damages so found and assessed by himself, or the jury aforesaid, as the case may be; and upon the same being signed in the margin thereof, by the judge of the court, or court commissioners, with the date of signing the same endorsed thereon, shall attach the said report and award of judgment and all the other papers in the cause together, which he shall file in the cause, and which shall constitute the judgment roll. The said clerk shall also thereupon enter the award of judgment in the same manner and with like effect as if entered under the direction of the court; and the same shall be and remain from that time a lien upon real estate and chattels real of the defendant, and in all respects shall have the same force and effect, and execution may be issued thereon, and all other proceedings had as though the same had been rendered in open court. Such judgments shall be under the control of the court and may be set aside upon good cause shown, the same as other judgments. *Provided, however*, That this act shall not be construed so as to authorize the entering up of any final judgment in vacation of the court, unless the plaintiff or some other person shall make and file an affidavit in the cause showing personal service of the rule to plead upon the defendant or his attorney in the cause, twenty days previous to the default being entered. And, *Provided, also*, That the execution shall not issue upon any judgment entered in vacation until twenty days after the signing of the award of judgment as hereinafter provided by the judge or court commissioner.

Proviso.

SEC. 3. This act shall be immediately printed by the state printer after its passage, and shall then be in full force and effect.

Approved, March 29, 1855.

Chapter 58.

[*Published April 26.*]

An Act to allow the qualified electors residing in Towns 21, 22, 23, 24 and 25 North, Range 10 East, to vote on the question as to which County they shall be attached.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The qualified voters residing in towns twenty-one, twenty-two, twenty-three, twenty-four and twenty-five north, in range ten east, are hereby authorized to vote by ballot, on the first Tuesday in August next, being the seventh day, as to whether the said town, should be attached to the county of Portage or to the county of Waupacca.

Mode of balloting.

SEC. 2. All the votes given upon the question aforesaid shall be by ballot, upon which shall be written or printed either the words "To Waupacca," or "To Portage."

Canvass of votes.

SEC. 3. The votes cast as above provided, shall be canvassed, certified, and the result ascertained and declared by the same officers, in manner provided by law for canvassing, certifying and ascertaining the result of elections for county officers, and such result, when so ascertained, shall by said canvassing officers be reduced to writing, and by them certified to be in all respects true and correct; and when the same is reduced to writing, and certified, the clerk of the board of supervisors of Portage county shall record the same in some county record book in his office, and shall, without delay, transmit by mail the original to the secretary of state, at Madison, who shall, upon the receipt thereof, file and preserve the same in his office.

SEC. 4. Said "towns" shall become part and parcel of the county in accordance with the majority of the votes so cast upon the subject.

SEC. 5. This act shall take effect and be in force from and after its publication.

Approved March 29, 1855.

Chapter 59.

[*Published March* 30.]

An Act to repeal chap. 59 of the general statutes of Wisconsin, entitled an act to provide for a State Lunatic Asylum, and to provide for a compromise with Andrew Proudfit and for ohter purposes.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Chap. repealed

SEC. 1. Chap. 59 of the general statutes of the State of Wisconsin, entitled an act to provide for a State Lunatic Asylum, approved March 30, 1854, is hereby repealed. *Provided*, This act shall not be so construed as to impair the obligation of any valid contract. But notice is hereby given to Andrew Proudfit that the state of Wisconsin does not consider itself bound by the contract of the date of the sixteenth day of November, in the year one thousand eight hundred and fifty-four, or any other contract or agreement made or entered into with him by the Commissioners appointed under the act hereby repealed, and that the state intends, unless a compromise can be made with him as hereinafter provided, upon terms satisfactory to the legislature of the state, to leave him to seek his remedy or rights, if he has any, in the courts as provided by law; and notice is hereby further given to said Proudfit not to proceed further under the aforesaid contract, as the state intends to, and by this act does, dispute and deny its liability upon the same.

Notice to contractor to suspend work.

SEC. 2. Upon the payment of fifteen hundred dollars into the treasury of the state of Wisconsin, by Leonard J. Farwell, of the town of Madison, in the county of Dane, the Governor is hereby authorized and empowered to execute and deliver to said Farwell a deed of the land conveyed by said Farwell to the state for the use of the Lunatic Asylum, which deed when executed and delivered, shall have the effect to re-vest the title to said lands in said Farwell, free of all claim of the state of Wisconsin.

Duty of secretary of state.

SEC. 3. Immediately upon the passage of this act, the secretary of state of the state of Wisconsin, is hereby authorized, and it shall be his duty, to take possession of all plans, specifications, contracts, papers, records and property of every kind belonging to the state of Wisconsin, in the hands, possession, or under the control of the commissioners, or superintendent of the Lunatic Asylum, and to preserve the same in his office. And it is further hereby

made the duty of the secretary of state to call upon the said commissioners and superintendent, and demand and receive from them all moneys due from, or over drawn by them from the state, and to pay the same into the treasury. And said commissioners and superintendent are hereby required, when so called upon as aforesaid, to deliver and pay all such property and money to said secretary of state.

Duty of commissioners and superintend't

SEC. 4. Immediately upon the passage of this act a committee of two shall be appointed on the part of the senate, and three on the part of the assembly, to confer with Andrew Proudfit, the present contractor for the building of the Lunatic Asylum, and ascertain, and report within twenty-four hours after their appointment, upon what terms or conditions, a settlement or compromise can be made with him of all matters or claims growing out of or connected with the Lunatic Asylum contract: *Provided*, That this act shall not be in any manner or particular, construed or intended to recognize, acknowledge or admit in any manner, as legal and binding upon the state the alleged contract of Andrew Proudfit, hereinbefore referred to, and any such construction or intention is utterly denied by this act.

Committee appointed to confer with contractor.

SEC. 5. This act shall take effect from and after its passage, and the secretary of state is hereby required to cause this act to be published immediately on its passage, and the secretary of state is also hereby further required to serve a certified copy of this act, under the great seal of the state, on the said Andrew Proudfit, immediately on its passage, and endorse upon this act his certificate of such service, which shall be evidence thereof in all courts and places.

Approved March 29, 1855.

Chapter 60.

[*Published April 24.*]

An Act for the protection of Lumbermen.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. That any person that shall wilfully and without consent of the owner take and appropriate to his own

use any pine logs, or other lumber, having thereon the marks of any other person or persons than those of the person so taking them, or who shall obliterate the marks of the owner of such logs or lumber, the same being upon the banks of or afloat in any of the streams of this state, out of which logs or lumber are usually driven, shall be deemed guilty of the crime of larceny, and shall be subject to all the provisions of chapter 134 of revised statutes, applicable to said crime.

SEC. 2. Chapter 99 of the General Laws of A. D. 1854, entitled "an act for the protection of logs and lumber found floating on the Wisconsin river," is hereby repealed.

SEC. 2. This act shall take effect from and after its passage.

Approved March 29, 1855.

Chapter 61.

[*Published April* 19.]

An Act to change the names of Albert Mills, and Harriet Mills to that of Albert Castle and Harriet Castle.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The names of Albert Mills and Harriet Mills, of the town of Chester, in the county of Dodge, is hereby changed to that of Albert Castle and Harriet Castle, and by the last mentioned names they shall be hereafter known and recognized.

SEC. 2. The said Albert Castle and Harriet Castle shall be known as the adopted son and daughter and heirs-at-law of Philander Castle and his wife, of the town of Chester, Dodge county, and mutually entitled to all the rights and privileges, and subject to all the duties of inheritance, support and maintenance as fully and effectually, and in the same manner as they might or should be if they were the legitimate children of Philander Castle and his wife.

SEC. 3. This act shall not take effect or be in force until the said Philander Castle shall assent thereto in writing, under his hand and seal, and record the same in the office of register of deeds in Dodge county.

Approved March 29, 1855.

Chapter 62.

[*Published April 25.*]

An Act in relation to the Milwaukee County Court.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The jury terms of the Milwaukee county court, for the trial of causes which either party shall require to have trial by a jury, shall be held on the first Monday in April, June, September and December of each year. Jury terms.

SEC. 2. A term of said court shall also be held on the first Monday in January, February, July, August and November, in each year, by the county judge, without a jury; at which terms issues may be tried by the court where a jury is not demanded by either party; defaults may be entered, and damages may be assessed and judgments entered upon defaults, or by confession, and certioraris, arguments, motions, and all other proceedings may be heard, determined and had with the like force and effect as at the jury terms, except the trial of causes which either party shall require to have tried by a jury.

SEC. 3. All writs issued by the said court shall be made returnable on the first day of the next term after it shall be issued, provided such writs issue ten days before the next term; but if not issued ten days before the next term, then such writ shall be made returnable on the first day of the next succeeding term after the first. Writs, when returnable.

SEC. 4. The said court shall have power to make, prescribe and establish such rules and regulations respecting the conduct and trial of causes, the entry of defaults, the assessment of damages on default, and concerning the practice and proceedings in said court, generally, as the said court shall deem expedient, and proper, and to alter, amend, or annul the same: *Provided*, Such rules shall not contravene any law of this state. Power of court. Proviso.

SEC. 5. All acts and parts of acts contravening the provisions of this act are hereby repealed so far as Milwaukee county is concerned.

SEC. 6. This act shall take effect and be in force from and after its publication.

Approved March 29, 1855.

Chapter 63.

[*Published April* 25.]

An Act to change the name of Francis Pescheck to that of Francis Landa.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SEC. 1. The lawful name of Francis Pescheck, an orphan, about five years of age, shall hereafter be Francis Landa, by which name he shall be known to all legal intents and purposes.

SEC. 2. The said Francis Landa shall be the child and heir at law of Francis Landa and Catharina, his wife, now residing at the city of Milwaukee, and being the parents, adopting said orphan; and it shall be the duty of said Francis Landa, and Catharina, his wife, to maintain, provide for and educate said Francis Landa, their adopted son, in the same manner as if he were their natural child; *Provided however*, That nothing in this act contained shall preclude the court of chancery or any other court of competent jurisdiction from taking under their custody the last mentioned Francis Landa, as a ward of said court, and from disposing of him in such manner as shall seem meet to them.

SEC. 3. This act shall take effect from and after its passage; *provided*, That this act shall have no force until the said Francis Landa, the adopting father, shall assent thereto by an instrument in writing, to be by him subscribed and acknowledged, and recorded in the office of the register of deeds of the county in which the said Landa resides.

Approved March 29, 1855.

Chapter 64.

[*Published May* 1.]

An Act to provide for the further improvement of the Fox River above Lake Winnebago.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The company styled the "Fox and Wiscon-

sin Improvement Company," chartered by chapter ninety-eight of the Session Laws of 1853, is hereby authorized and empowered to improve the navigation of Fox River above Lake Winnebago, according to the plan proposed by Captain Cram, in his report to the Secretary of the War Department of the United States, or in such other manner by dams, locks, and canals, as will enable boats drawing not less than three feet of water, to pass from Lake Winnebago to the Wisconsin river, and for that purpose and for discharging the obligations of said company, the stockholders may increase its capital stock an amount not exceeding two hundred and fifty thousand dollars, and may authorize such assessments upon the stock held by any individual in said company as may be deemed expedient.

Authorized to increase capital stock.

SEC. 2. Whenever any of the canals, locks, or dams, to be constructed along the said Fox River, as contemplated in the first section of this act, shall be located upon swamp and overflowed lands, the property of the state, the said company is hereby authorized to appropriate for the use of said canals, locks and dams, the land upon which the same may be located, and a strip one hundred and fifty feet in width, on each side, and along the whole length of said canals and locks, and all damages which the state might claim on account of such appropriation, or of flowage of land belonging to the state, is hereby released and discharged; *Provided*, That nothing contained in this act shall be so construed as to create any liability against the state for making any improvement contained in this act.

Right of way granted by the state over its lands.

SEC. 3. This act shall take effect and be in force from and after its acceptance, by a resolution of the directors of said company, to be entered on their journal of proceedings, and a copy thereof filed in the office of the secretary of state.

Approved March 31, 1855.

Chapter 65.

[*Published April* 16.]

An Act to fix the time for holding the circuit courts in the counties of Winnebago, Fond du Lac and Manitowoc, and to provide for holding a law term in the county of Sheboygan.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The terms of the circuit court shall be holden in the counties of Winnebago, Fond du Lac and Manitowoc,, in the fourth judicial circuit, at the times following, in each year:

In Winnebago county. In the county of Winnebago, on the first Monday of May, September and January.

In Fond du Lac county. In the county of Fond du Lac, on the 3d Monday of April, August and December.

In Manitowoc county. In the county of Manitowoc, on the 4th Monday in March and September.

SEC. 2. There shall be a law term of said circuit court holden in and for the county of Sheboygan on the 2d Monday of December in each year.

SEC. 3. At such law terms above designated the court may hear and determine all motions and issues of law, in civil cases, and all causes, questions, matters or proceedings in equity, or at law in civil cases, not requiring a trial or inquest by a jury. All mesne or final process, or other proceedings in civil cases, required by law to be made returnable at the next term of the circuit court shall be deemed to be returnable at any such law term, whenever it shall be the term first holden after the issuing of such process or the instituting of such proceedings. And such law terms shall be deemed and held to be regular terms for all purposes not expressly excepted by this act; and all judgments, orders or decrees, rendered or made thereat shall be as valid and effectual as if rendered or made at any other term.

Process, when returnable.

No jury to be summoned.

SEC. 4. No grand or petit jury shall be summoned for any such law term, and no criminal cause or matter shall be determined, argued or heard, or any trial or inquest, by a jury be had or taken at such term. All recognizances, process or proceedings (except final process to collect a fine, penalty or costs,) in criminal cases, made returnable at the next term of the circuit court, and all continu-

ances therein to the next term shall be deemed to be returnable at or continuances to, the next jury term, whether specially expressed or not.

SEC. 5. Motions to dissolve injunctions, in causes pending in said circuit, may be noticed for hearing before the court, and he heard and decided, at any regular jury or law term holden in any county in the circuit. The clerk of the court of the county where such motion is argued, shall enter a record of the proceedings thereto, and transmit a certified copy thereof, and also the original order or orders signed by the judge, to the clerk of the court of the county where the cause is pending, if it shall be pending in any other county; and such proceedings, order or orders shall have the same force and effect as if had or made in the county where the cause is pending. Duty of clerk.

SEC. 6. All writs, summons, indictments, recognizances and other proceedings made returnable by any law of this state, now in force, to the terms of the several circuit courts mentioned in this act shall be returnable to the terms of said circuit courts as the same are hereinbefore fixed, and all adjournments, appearances, continuances, motions and notices of any proceedings in said court, made or taken to any term of a date subsequent to the term when this act shall take effect, shall be held to be made and taken for the time hereinbefore fixed for holing the terms of said court.

SEC. 7. All acts inconsistent with this act are hereby repealed.

Approved, March 31, 1855.

Chapter 66.

(*Published April* 13, 1855.)

AN ACT to provide for the contingent expenses of the Bank Comptroller's Office.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of three hundred dollars is hereby annually appropriated to be paid out of the bank tax fund to defray the expenses of the New York agency of the Appropriation.

bank department, the above appropriation to be audited by the secretary of state, and paid by the state treasurer, and the bank comptroller shall annually report to the legislature a detailed account of the expenditure of the same together with the vouchers therefor.

Appropriation.

SEC. 2. The sum of twenty-six dollars is hereby appropriated to the bank comptroller, for cash paid Rufus King & Co., for paper for blanks; also the sum of twelve dollars is hereby appropriated for cash paid for express charges on the notes of the North Western and Milwaukee banks.

Approved March 31, 1855.

Chapter 67.

(*Published April 30.*)

An Act supplementary to chapter 95 of the Revised Statutes, entitled "Of change of venue, and of referring and consolidating causes."

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

When suits may be consolidated.

SECTION 1. Whenever several suits shall be pending in the same court of record, by the same plaintiff against the same defendant, for causes of action, which may be joined, the court in which the same shall be prosecuted, may, in its discretion, if it shall appear expedient, order the several suits to be consolidated into one action.

SEC. 2. When several suits shall be commenced against joint and several debtors, in the same court, the plaintiff may, in any stage of the proceedings, consolidate them into one action.

Cause may be referred to referees.

SEC. 3. Whenever a cause founded upon contract shall be at issue in any court of record, or a default for want of a plea shall be entered, and it shall appear that the trial of the same, or the assessment of damages therein, will require the examination of a long account on either side, such court may, on the application of either party, or without such application, after issue joined, or on the application of the plaintiff after default entered for want of a plea, order such cause to be referred to three impartial

and competent persons, or by the consent of the parties to a sole referee.

SEC. 4. If the parties agree on three persons as referees, such persons shall be appointed by the court; if they disagree, each party shall be entitled to name one, and if either party shall refuse or neglect to name a person as referee, the court shall name one for him, and the court shall appoint the person so named, if they are free from all exceptions, and such other person as the court shall designate. Referees, how appointed.

SEC. 5. When a cause shall be noticed for trial at any circuit or county court, and it shall appear that the trial of the same will require the examination of a long account on either side, the judge holding such court, may, by rule, order such cause to be referred in like manner as in other cases under the provisions of this act.

SEC. 6. Whenever any civil action, other than those now by law authorized to be referred, shall be at issue in any court of record, such court may, by consent of all the parties, order the same to be referred to such referee or referees as shall be agreed upon by the parties; and in case the parties cannot agree upon such referees they shall be chosen in the manner provided by section four of this act, and such referees shall possess the powers and be subject to the provisions of this act.

SEC. 7. In any cause which may be referred to referees, it shall be the duty of the court or judge ordering the reference, with the consent of the parties, to appoint such one person as sole referee therein, as may be agreed upon by said parties, and such sole referee shall possess the powers and be subject to the provisions of this act.

SEC. 8. The referees appointed pursuant to the provisions of this act, shall proceed with diligence to hear and determine the matters in controversy.

SEC. 9. They shall appoint a time and place for the hearing, and shall adjourn the same from time to time as may be necessary; and on the application of either party, and for good cause, they may postpone such hearing to a time not extending beyond the commencement of the next term of the court in which the suit is pending; provided that they may postpone the same beyond such term by the written consent of parties. Duties of referees.

SEC. 10. Before proceeding to hear any testimony in the cause, the referees shall be severally sworn, faithfully and fairly to hear and examine the cause, and to make a just

and true report, according to the best of their understanding; which oath may be administered by any person authorized to take affidavits or depositions to be read in the court in which the suit is pending, or by any justice of the peace.

Witnesses, how summoned.

SEC. 11. Witnesses may be compelled to appear before such referees, by subpœnas issuing out of the court in which the cause is pending, in the same manner and with the like effect as in cases of trials in such court, or issued by a justice of the peace.

Referees to administer oaths.

SEC. 12. Any one of the referees may administer the necessary oath to the witnesses produced before them for examination. All the referees must meet together and hear all the proofs and allegations of the parties; but a report by any two of them shall be valid.

SEC. 13. The referees may be compelled by the order of the court in which the cause is pending, to proceed to the hearing thereof, and to make report of the amount they find due to either party; and they shall if required by either party, report their decision in admitting or rejecting any witness; in allowing or overruling any question to a witness; in admitting or rejecting any testimony offered, or in allowing or overruling any answer to any question asked of any witness, and all other proceedings by them, together with the testimony before them, and their reasons for allowing or disallowing any claim of either party.

SEC. 14. When any party or any witness, duly notified or subpœnaed, shall refuse to produce any books, papers or documents, required by the referees, they shall report such refusal to the court, who shall proceed thereon against such party or witness in the same manner as is now provided by law in cases pending in the circuit court.

To be entered upon records of court.

SEC. 15. An entry of any reference under the provisions of this act shall, be made upon the records of the court, and day shall be given to the parties from time to time, until the referees report, or until they be thereof discharged. If the report of the referees be confirmed by the court, judgment shall be entered thereon, in the same manner and with the like effect, as upon the verdict of a jury, and execution shall issue thereon in the same manner as is now provided by law in cases of final judgments in said court.

Chap. repealed

SEC. 16. So much of chapter ninety-five of the revised statutes as conflicts with the provisions of this act, is hereby repealed.

SEC. 17. This act shall take effect and be in force from and after its passage.

Approved March 31, 1855.

Chapter 68.

(*Published April* 26.)

An Act to provide for levying a State Tax for the year 1855.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. There shall be levied and collected for the year 1855, a state tax of three hundred and fifty thousand dollars ($350,000) to be apportioned among and assessed upon the several counties in this state, as provided in chapter seventy three of the session laws of 1854, entitled an act to establish a board of equalization of state tax and to provide for levying a state tax for the year 1854, approved April first, 1854, and levied upon the property, real and personal, in this state, according to the equalization to be made the present year by the state board of equalization, which tax shall be collected and paid into the state treasury as provided by law.

Approved March 31, 1855.

Chapter 69.

[*Published April* 14.]

An Act to repeal certain provisions in the Charters of Insurance and other Companies.

The people of the State of Wisconsin represented in Senate and Assembly do enact as follows:

SECTION 1. All the provisions of any statute of this state that make or provide for making any promissory note,

bond, or other personal obligation, given to any incorporation or insurance company, a lien, charge or incumbrance upon land or real estate, are hereby repealed: *Provided*, This section shall not be construed to extend to any note, bond or obligation, for securing the payment of which a mortgage deed upon real estate has or may be executed to any such company, and duly acknowledged and recorded.

Proviso.

SEC. 2. This act shall take effect immediately after its passage.

Approved, March 31, 1855.

Chapter 70.

[*Published April* 10.]

An Act to appropriate to the State Prison Commissioner the amount of money, ($2,813 44,) now due the convicts of the prison.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby appropriated to the commissioner of the state prison, out of any money in the state treasury not otherwise appropriated, the sum of two thousand eight hundred and thirteen dollars and forty-four cents, (2,813 44,) the same being the balance due convicts for over-work, which amount the commissioner shall, when drawn, pay over and disburse to the persons to whom the same may belong, pursuant to and in strict compliance with section 6, of chapter 32, of the general statutes of 1854, entitled "an act to appropriate money for the construction of the south wing of the state prison, to authorize further letting of contracts, and to provide for rewarding convicts."

Appropriation.

SEC. 2. All acts or parts of acts providing for the payment to convicts of any sum or sums of money for labor or services performed in the state prison of this state, are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 2, 1855.

Chapter 71.

[*Published April 4.*]

An Act to provide for taking a Census or enumeration of the people of this State.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Duties of town clerks, &c.

SECTION 1. The town clerks of the several towns in this state, under the direction of the clerk of the board of supervisors of their respective counties, are hereby authorized and required to take an enumeration of the inhabitants in their respective towns, omitting in such enumeration, Indians not entitled to the right of suffrage under the constitution and laws of the state; and in case there shall be no organized town, or shall be no town clerk, in any district composing the whole or a part of any county, then, and in every such case, the clerk of the board of supervisors of the county to which any such district may be attached for judicial purposes, shall appoint one or more assistants with power to perform the service required of town clerks by this act; and within the limits of any incorporated city or village, the said services shall be performed by the clerk of the corporation.

Secretary of state to prepare blanks, and furnish clerks.

SEC. 2. The secretary of state shall prepare appropriate forms, distinguishing therein persons of each sex, deaf and dumb, blind, insane, and persons of color, and shall cause a sufficient number of copies thereof to be printed and transmitted to the several clerks of the boards of supervisors, on or before the first day of May next, and immediately thereafter each of said clerks shall forward the requisite number of such forms to the town clerks and assistants appointed by him, within his county, to enable them to take said census in a uniform manner.

Clerks and assistants required to take an oath.

SEC. 3. The town clerks and assistants shall severally take and subscribe an oath before some person authorized to administer oaths, previous to entering upon the discharge of the duties imposed by this act, that they will well and truly cause to be made a just and perfect enumeration of all the persons resident within their city, town or division, as the case may be, and a true return thereof make in pursuance of the provisions of this act, according to the best of their ability, which oath shall be returned with the census taken by each person respectively to the clerk of the

Required to make return to clerk of supervisors.

board of supervisors of the county, on or before the first day of August next.

Enumeration, how to be made

SEC. 4. The said enumeration shall be made by an actual enquiry, by the person taking such census, at every dwelling or by personal enquiry of the head of every family, in their several cities, towns or districts, and shall commence on the first day of June next, and shall be completed and closed in two months thereafter, and said enumeration shall include only those whose place of residence shall be in said cities, towns or districts, on the first day of June aforesaid, and the several clerks and assistants shall deliver to the clerk of the board of supervisors a true and accurate enumeration of all persons within their respective cities, towns and districts, which enumeration shall be set forth in schedule, according to the form prescribed by the secretary of state, designating the city, town or district, and shall embrace the several families by the name of the head thereof, and the aggregate population therein.

Duties of cl'ks of supervisors.

SEC. 5. The several clerks of the boards of supervisors shall on the first day of August or sooner, if all the returns shall be received by him from the clerks and assistants, prepare duplicate copies of the enumeration of the inhabitants of their respective counties, and transmit one of said copies to the secretary of state and deliver the other together with the returns received from the clerks and assistants to the register of deeds of the county, and the said register shall preserve the same on file in his office.

Fees.

SEC. 6. The persons appointed to take said census shall be allowed compensation for the service to be performed in taking the same, as follows: Clerks of incorporated cities and villages shall be paid at the rate of one dollar for every one hundred persons enumerated by them respectively; town clerks and assistants appointed by the clerks of the board of supervisors shall be paid at the rate of one dollar and fifty cents for every one hundred persons enumerated by them respectively: *Provided*, That in those counties not organized for judicial purposes, and in districts not included in any town organization there may be allowed to persons taking said census additional compensation at the rate of one dollar and fifty cents for every one hundred persons enumerated therein; And *provided further*, That each clerk of the board of supervisors shall be allowed for making his returns five dollars, in case the schedules returned by him shall contain one thousand persons or less, and one dollar for every one thousand the schedules returned shall

Proviso.

Proviso.

contain exceeding that number. The accounts for taking the census as herein provided, shall be certified by the clerks of the boards of supervisors respectively, and shall be paid out of the State Treasury.

SEC. 7. Every clerk of the board of supervisors, town clerk or assistant appointed, and who shall have accepted said appointment, who shall neglect or refuse to perform the duties required by them in taking or returning the census as herein directed, shall forfeit and pay the sum of Two Hundred and Fifty Dollars, to be recovered in the manner provided by law for the collection of fines and forfeitures. Fine for neglect of duty.

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved March 31, 1855.

Chapter 72.

[*Published April* 14.]

An Act to enable assignees of choses in actions to maintain suits in their own names in certain cases.

The people of the State of Wisconsin, represented in Senate and Assembly do enact as follows:

SECTION 1. The assignee or assignees of any note which is not negotiable, or any bond or chose in action, which has been or may hereafter be assigned, if the assignor be dead, and there be no executor or administrator upon his estate appointed in this state, may sue thereon, and recover in his, her or their own name.

SEC. 2. The defendant in any suit brought under this act may set up and avail himself of any set-off or defence existing, or which arose before notice of such assignment, to the same extent and with like effect as if the assignor were still living, and such suit were brought in his own name.

SEC. 3. This act shall take effect from and after its passage.

Approved, March 31, 1855.

Chapter 73.

[*Published April 2[illegible]*]

An Act to fix the time for holding the terms of the circuit court in the counties of Brown and Outagamie.

The People of the state of Wisconsin represented in Senate and Assembly do enact as follows:

Time of holding court changed.

SECTION 1. The terms of the circuit court for the counties of Brown, and Outagamie, from and after the first Monday of July, A. D. eighteen hundred and fifty-five, shall be holden at the times following to wit: In the county of Outagamie on the third Monday in April and the third Monday in October in each year. In the county of Brown on the third Monday in September, and the second Monday in January and the fourth Monday in April, in each year: *Provided*, That at the January term of said court, in each year, a petit jury only shall be summoned to attend said court, and all recognizances on criminal charges entered into before a justice of the peace shall be deemed and held to be returnable at the nex term thereafter at which a grand jury shall be summoned without regard to the said jury term.

Proviso.

Duty of judge.

SEC. 2. It shall be the duty of the judge of the tenth judicial circuit, to hold, in the county of Outagamie, on the first Monday in January in each year, a special term of the circuit court, for the purpose of hearing and disposing of all motions and questions of law; and all judgments, orders and decrees that may be made or entered at said special terms shall be as valid and effectual to all intents and purposes, as any judgments, orders or decrees made or entered in term time.

Approved, March 31, 1855.

Chapter 74.

[*Published April* 17.]

An Act supplementary to chapter 381 of the session laws of 1852, entitled an act to grant one copy of the revised statutes, laws, journals and legislative documents of this state to Beloit college and other literary institutions.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Whenever any books or documents mentioned in chapter 381, of the session laws of 1852, entitled an act to grant one copy of the revised statutes, laws, journals and legislative documents of the state to Beloit college and other literary institutions, to which this act is supplementary, shall be deposited in the office of the governor, secretary of state, state superintendent, or superintendent of public property, in quantities exceeding twenty-five copies, the institutions mentioned in said act shall be entitled to receive from such excess one copy of each of said volumes or documents, of whatever nature, the same as if deposited in the state library. Literary associations to receive copies of all books.

SEC. 2. Said literary institutions shall also be entitled to receive from the Agricultural society, and from the Historical society, one copy of each volume of the transactions of said societies, which are now or may hereafter be published; *Provided, always*, That twenty-five copies of each of said publications be retained by such societies in their respective libraries.

SEC. 3. This act shall take effect from and after its passage.

Approved March 31, 1855.

Chapter 75.

[*Published April* 28.]

An Act to amend chapter forty-one of the Revised Statutes.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. That all the duties enjoined by chapter forty-one of the Revised Statutes of this State, upon any per-

son wishing to lay out a town in this State, or any addition thereto, or subdivision of out lots thereto, may be done and performed by an attorney thereto lawfully authorized; and a survey and plat thereof made and acknowledged by such attorney shall be as valid and effectual in all respects as if made by the proprietor himself.

SEC. 2. This act shall take effect from and after its passage.

Approved, March 31, 1855.

Chapter 76.

[*Published April 28.*]

An Act providing a salary for the Corresponding Secretary of the State Historical Society.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Appropriation.

SECTION 1. The sum of five hundred dollars is hereby annually appropriated out of the state treasury as a salary for the corresponding secretary of the state historical society, commencing with the present fiscal year, to be paid in the same manner as the salaries of the state officers.

How paid.

SEC. 2. In case the society shall accept this appropriation, the society shall from that time forward be deemed a trustee of this state to that extent, and shall not make any sale, transfer or other disposition of the property of said society, or any part of it, without the consent, by act, of the legislature of this state.

Approved, March 31, 1855.

Chapter 77.

[*Published April* 28.]

An Act to cede the jurisdiction of the United States of a tract of land in the city of Milwaukee.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. That the jurisdiction of the State of Wisconsin over a tract of land in the city of Milwaukee not exceeding one acre, is hereby ceded to the United States of America, for the purpose of erecting a light house or beacon light thereon, or for any other purpose connected therewith, to be located near what is known the straiggt cut or new harbor, and that the same is hereby forever exempt from taxation so long as the same shall continue the property of the United States. *Provided*, That nothing herein contained shall destroy or interfere with the jurisdiction of the state of Wisconsin in the service or execution of any legal process: *And provided further*, That nothing herein contained shall be construed as in any way to convey the right to interupt or in any way prevent the construction of the harbor at the straight cut in whole or in part, by the city of Milwaukee, or any contractor to do lo said work for said city. Proviso.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved, March 31, 1855.

Chapter 78.

[*Published April* 11.]

An Act to amend section 30 of the General Statutes of the State of Wisconsin, entitled an act concerning the election of Judges, approved March 22, 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of chapter 36, of the general statutes of the State of Wisconsin, approved March 22, Sec. and chap. amended.

1854, is hereby amended and construed so as to require the election for judges of the county and circuit courts, and for justices of the supreme court, to be held on the first Tuesday of April, in the year in which such election shall be held, unless special provision is otherwise made for the first election of a county or circuit judge.

SEC. 2. This act shall take effect immediately after its passage, and shall be published by the state printer.

Approved March 31, 1855.

Chapter 79.

[*Published April* 25.]

An Act to amend chapter 53 of the Revised Statutes, entitled of electric telegraph lines.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Whenever any person or persons or corporation owning any telegraph line mentioned in section 1, of chapter 53 of the Revised Statutes, shall abandon or discontinue the use of the same, such person or persons or corporation owning the same, shall forthwith take down, remove and carry away all the wires used upon said telegraph line, and shall take down and remove all telegraph poles, posts or fixtures, which can in any wise endanger or obstruct travel along any public highway.

SEC. 2 In case where the use of any telegraph line has been abandoned or discontinued, or shall be abandoned or discontinued, as mentioned in the first section of this act, and the wires, posts or fixtures shall not be removed or taken away by the owner or owners, as provided by this act within three months after the time of the use of the same is so abandoned or discontinued, it shall be lawful for any person owning any land near or through which said telegraph line may pass, to take down, carry away and dispose of any wires or posts so left standing or remaining as provided in this act for his or their own use.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved, March 31, 1855.

Chapter 80.

[*Published April —.*]

An Act to amend an act to give effect to an act entitled an act to amend chapter 86 of the revised statutes, and for other purposes, approved, April 3d, 1854, relating to county courts, approved, February 28, 1855.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section eight (8) of said act, approved February 28, 1855, is hereby so amended as to read as follows: "This act shall not apply to the counties of Milwaukee and La Crosse. Sec. amended.

SEC. 2. This act shall take effect fom and after its passage.

Approved, March 31, 1855.

Chapter 81.

[*Published April* 20.]

An Act to provide for defraying the contingent expenses of the state for the present year, and to repeal section 8, of chapter 9 of the revised statutes, which appropriates six hundred dollars for the same object.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. For the purpose of defraying the contingent expenses of the state for the present year, the sum of five thousand dollars is hereby appropriated out of any money in the state treasury not otherwise appropriated, to be drawn from the treasury by and expended under the direction of the Governor, as the exigencies of the public service may require, and it is hereby made the duty of the Governor to cause to be transmitted to the next legislature at the opening of the session thereof, a detailed statement of the expenditure of this appropriation. Appropriation for contingent expenses of the state.

SEC. 2. Section 8, of chapter 9, of the revised statutes, which appropriates the sum of six hundred dollars, and all other acts making appropriations for the objects provi- Sec. repealed.

ded for by the appropriations made in section 1 of this act are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved, March 31, 1855.

Chapter 82.

[*Published April* 14.]

An Act to amend section twenty-four of the revised statutes.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Sec. amended.

SECTION 1. Section fifty four of chapter twenty-four of the revised statutes shall be amended as follows: by inserting after the word "lands" in the first line of said section, the words "and all clerks or persons employed by them, or about any of their respective offices."

SEC. 2. This act shall be in force from and after its passage.

Approved, March 31, 1845.

Chapter 83.

[*Published April* 25.]

An Act to provide for regulating Railroad Crossings.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

To regulate railroad crossings.

SECTION 1. Whenever the track or line of any railroad built or projected by any railroad company in this state, pursuant to its charter, shall cross the track or line of any other railroad in this state so built or projected, the Presi-

dent of either company may apply to the judge of the circuit court of the circuit within which such point of crossing may be for the appointment of commissioners for the purposes hereinafter specified.

Notice to be served on president and secretary.

SEC. 2. A written notice specifying the time and place when and where such application will be made before the judge, shall be served at least ten days before such time, on the president or secretary of the other railroad company.

Judge to appoint commissioners.

SEC. 3. On such application and proof of the service of such notice, the judge shall appoint three disinterested commissioners, who shall be competent men and possessed of practical knowledge on the subject, to prescribe the manner in which said railroads may cross each other—the regulations to be observed by each company in respect to the running of trains over its road at and near the point of intersection—the compensation to be paid by either company for the right of way across the track or adjoining lands of the other company, which may first have obtained a right of way across the lands at the point of intersection, and all other rules and regulations necessary to secure the rights, convenience and safety of said company and of passengers.

Commission'rs to take oath.

SEC. 4. The commissioners shall be sworn faithfully to discharge the duties of their appointment, and shall cause notice in writing of not less than ten days to be given to the president or secretary of each company personally, stating the time and place when and where they will meet to decide upon the matter, which time shall not be more than thirty days after their appointment, unless a vacancy shall happen, which may make a longer time necessary. They shall examine the premises and hear all proofs of arguments submitted by the parties, and may adjourn from time to time not exceeding fifteen days in all, giving due notice thereof to both parties, and shall within that time make an order in writing, specifying clearly all the particulars required by section three of this act, in which a majority of them shall concur; and either company on complying with all the conditions prescribed in such order, shall be permitted to construct its road across the line or track of such other road, and run engines and trains under the regulations or restrictions specified in such order.

To file order.

SEC. 5. The commissioners shall forthwith file such order in the office of the clerk of the court of the county in

which said railroads cross, and cause a copy thereof to be delivered to the president or secretary of each company;

Company may appeal.

and either company may appeal from the decision of the commissioners, within ten days after the filing of the order and delivery of the copy, by filing a notice of appeal with the clerk of the court, and serving a copy of the notice on the president or secretary of the other company, which appeal shall be to the circuit court of the same county.

Appeal to be tried by court.

SEC. 6. Such appeal shall be tried by the court, and if the court shall find that the proceedings of the commissioners have not been in conformity with this act, or that their decision is unjust or unreasonable, the same shall be reversed, otherwise it shall be affirmed. On reversing such decision, the court shall immediately appoint three commissioners who shall proceed, as above provided, to another hearing and determination; *Provided*, That either party may require that the amount of the compensation to be paid by either company as aforesaid shall be determined by a jury.

Proviso.

SEC. 7. The judge shall from time to time appoint new commissioners on the same notice as above provided, on the first application to fill vacancies, or in case those before appointed shall have failed to complete their duties.

Fees of commissioners.

SEC. 8. The fees of the commissioners shall be paid by the company making the application; and on all costs on an appeal as the court shall order.

SEC. 9. If the president of either company shall so request, the commissioners shall direct in their order that the road of said company may cross the other road on the grade of such other road, and prescribe such regulations respecting the stoppage of trains on the said road (first mentioned in this section) near the point of crossing, as the commissioners may deem necessary to secure safety on both roads.

SEC. 10. No company which shall have obtained the right of way, and constructed its road at the point of intersection, before the application for the appointment of commissioners may be made, shall be required to alter the grade or change the location of its road, or be required to defray any part of the expense of the crossing, or of the proceedings under this act.

SEC. 11. This act shall take effect from and after its passage and publication.

Approved April 2, 1855.

Chapter 84.

[*Published April 5.*]

An Act to provide for the protection of the swamp and overflowed lands in this state, and to grant pre-emption rights thereon.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Description lists of swamp and overflow'd lands to be made.

SECTION 1. It shall be the duty of the Governor of this state, within a reasonable time after the passage of this act to cause to be made complete descriptive lists of all the swamp and overflowed lands granted to this state by an act of congress, entitled, "act to enable the state of Arkansas and other states to reclaim the Swamp lands within their limits," approved September twenty-eighth, eighteen hundred and fifty, lying within each of the several counties of this state, so far as the same have been surveyed; and he shall attach to each of such descriptive lists a certificate that the same is a complete descriptive list of all the swamp and overflowed lands granted to this state by the act of congress aforesaid, lying within the county for which the list is made, so far as he can ascertain the same; and he shall cause such descriptive lists, with the certificates thereto annexed, to be transmitted to the register of deeds of the several counties for which said lists are made.

Register of deeds to make record.

SEC. 2. The register of deeds for the several counties of this state, on receiving such descriptive lists, shall record the same in a book of deeds in his office, and preserve the original in his office.

Penalty for destroying timber.

SEC. 3. Any person who shall wilfully cut down or destroy, or by girdling or otherwise shall injure any trees growing or situated on any of the said swamp or overflowed lands granted to this state by the act of congress aforesaid, or who shall wilfully cut or take, carry or haul away from any such lands, any timber or wood previously cut or severed, from said lands, shall be guilty of a misdemeanor, and upon conviction of any of said offences shall be punished by imprisonment in the county jail of the proper county, not more than one year, nor less than three months, or by fine not exceeding five hundred dollars.

Justice of the peace to have concurrent jurisdiction.

SEC. 4. Any justice of the peace shall have concurrent jurisdiction in his own county, with the circuit court, of any offence mentioned in the preceding section, when the

value of the trees, wood or timber, shall be alleged not to exceed the sum of one hundred dollars, and in such case the punishment shall be by fine, not exceeding one hundred dollars, nor less than ten dollars.

Duty of sheriffs, &c.

SEC. 5. It is hereby made the duty of all sheriffs, justices of the peace, and constables who may have knowledge of or who may receive information of any offence mentioned in section three of this act, committed within the county in which they are officers, or within any county attached to such county for judicial purposes, to forthwith inform the district attorney of the county in which said offence was committed, of the commission of such trespass, of the name of the trespasser or trespassers, and of the name of the witness or witnesses in the case; and it shall be the duty of the district attorney immediately on receiving such information, or on receiving information from any other source, of the commission of any trespass on said lands, proceed to bring such trespasser or trespassers before the proper tribunal for trial, and he shall prosecute them in the name of the state.

Duty of district attorneys.

SEC. 6. It is hereby made the special duty of the district attorneys of the several counties in this state to bring and prosecute actions, in the name of the state, against any person or persons who shall trespass on said swamp or overflowed lands, within the county for which he is elected, or within any county attached to said county for judicial purposes, to recover damages for such trespass or trespasses, or to recover possession for the state of any trees, timber, wood or lumber which may have been removed from such lands by any person or persons.

Descript'n list to be received as evidence in court.

SEC. 7. In all prosecutions, actions and suits brought under the provisions of this act, the descriptive lists made and certified as provided in section one of this act, and deposited in the office of the register of deeds of the proper county, shall be received in any court, in which such prosecution or suit is pending, as sufficient evidence that the title to any tract of said swamp or overflowed lands described in such list, in this state, and a certificate of the register of deeds of any county, certifying that any particular tract of land lying within the county for which he is register, is described within the descriptive list remaining in his office as swamp or overflowed lands, shall be received and taken in all such prosecutions, actions and suits as prima facie evidence that the title to such tract is in the state.

SEC. 8. All sums of money recovered and collected for damages under the provisions of this act shall be paid in to the county treasury of the proper county for the use of the state, and all timber, trees, wood and lumber which may be recovered by the state in any suit or action under the provisions of this act, shall be sold under the direction of the district attorney of the proper county, at public auction, after giving the same notice of the time and place of making such sale as is required to be given by sheriffs on sales of personal property made by virtue of executions issued out of a court of record, and the proceeds of such sales, after deducting the costs and expenses of making the same, shall be paid into the county treasury, by such district attorney, for the use of the state. State to rec've money, &c.

SEC. . The board of supervisors of the several counties shall audit and allow the several district attorneys of this state a just compensation for services rendered under the provisions of this act, to be paid out of any money paid into the county treasury as directed by this act. Compensation

SEC. 10. Any person who now occupies or who may hereafter occupy before the day that may be appointed pursuant to law for the sale of any of said swamp or overflowed lands, either by a residence thereon or having improvements thereon of the value of ten dollars per forty acres, and used for agricultural purposes, shall have the right to purchase the same at one dollar and twenty-five cents per acre, by proving his or her occupancy or improvement of such lands in the manner hereinafter provided; *Provided*, That no one person shall have the right to pre mpt and purchase more than one hundred and sixty cres of such lands to be by him or her settled in legal ubdivisions according to the government survey, and in compact body, *And provided further*, That no person laiming the right to occupy any of said lands under the rovisions of this act, shall be allowed to take away from aid lands more timber than is nece-sary for the use of aid lands, and that every person claiming the right of re-emption to any of said lands in pursuance of the proisions of this act, shall forfeit such right of pre-emption, he or she shall fail to prove his or her claim and pay for ie lands so claimed within ten days of the time fixed by aw for the sale of the lands embraced in such claim. Proviso.

SEC. 11. Any person intending to avail himself or herelf of the right of pre-emption secured by the preceding ection of this act, shall within six months after the pas- Right of pre-emption—certificate to be made.

sage of this act or within thirty days after he or she shall have commenced the occupancy of such lands intended to be claimed as a pre-emption, or after the commencement of his or her improvement thereon, make or cause to be made a certificate, in writing, describing the lands claimed as his or her pre emption right, and certifying that he or she claims the right of pre-emption to such lands, that it is his or her bona fide intention to purchase said lands under his or her pre-emption claim, whenever the same shall be brought into market, and that he or she is either in the occupancy of the same or some part thereof, or that he or she have made some improvements thereon; such certificate shall be signed by the p rson claiming the pre-emption, and the truth of said certificate shall be attested by the oath of the person signing the same; such certificate so made, signed and attested, shall be acknowledged by the party signing the same before some person authorized to take the acknowledgments of deeds, and he or she shall cause the same so acknowledged to be recorded in the office of the register of deeds for the county in which the lands described in such certificate are situated.

Parties to make oath to certificate.

To be recorded in office of register of deeds.

Register of deeds to record certificates.

SEC. 12. The register of deeds of the several counties in this state shall record such certificates in a book to be kept by them for that purpose, and they shall receive the same fees for recording such certificates as they are authorized to receive for the recording deeds.

Right of persons making certificate.

SEC. 13. Each and every person who shall have caused a certificate of his or her pre-emption claim to be made, attested and recorded as provided in section eleven of this act, shall be entitled to the exclusive possession of the lands therein described until such time as the same shall be brought into market for sale, or until he or she shall have forfeited his or her right to such pre-emption; and such certificate, or the record thereof, or a certified transcript for the record thereof, shall be sufficient evidence of title to enable the person making the same to maintain any suit or suits, action or actions, against any person or persons, in any court of competent jurisdiction, for any trespass or injury done to such lands or any part thereof, or to any buildings or improvements thereon, or to the timber, grass, grain or other product growing or being thereon, or any proper action or proceeding to recover possession thereof. All persons claiming lands under this act shall be required to drain and reclaim the same so far as

Duty of persons claiming lands.

the same may be necessary for the purposes hereinafter contemplated.

SEC. 14. This act shall take effect and be in force from and after its passage and publication.

Approved, April 2, 1855,

Chapter 85.

[*Published April* 24.]

An Act for attaching Columbia County to the Ninth Judicial Circuit.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The county of Columbia is hereby attached to, and shall constitute a part of, the ninth judicial circuit of this state.

SEC. 2. The time for holding the regular terms of the circuit courts, in said county of Columbia, shall be on the second Monday of February and on the second Monday of September in each year. Time of holding court in Columbia co.

SEC. 3. This act shall take effect from and after the second Monday of April next.

Approved, April 2, 1855.

Chapter 86.

[*Published April* 24.]

An Act for the protection of Laborers on Railroads.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SEC. 1. All railroad corporations within this state shall be responsible and obligated in law to the laborers on the line or lines of railroads being constructed by said corpo- Railroad corporations responsible to

rations, and are responsible and liable to pay for all labor performed by said laborers severally, upon said road or roads, to the persons performing such labor; and it shall be the duty of said corporations to require of all contractors or sub-contractors ample bond or other security, satisfactory to said corporations, conditioned that all laborers on said road or roads shall be first paid before the estimates due said contractors or sub-contractors by said corporations shall be paid by said companies to said contractor or contractors, sub-contractor or sub-contractors, and for the purposes of this act all the usual remedies by action are given to any and all such laborers against any such corporation. The provisions of this act shall apply to all incorporated companies in this state. No suit shall be maintained under the provisions of this act until such laborer shall have given thirty days notice, in writing, to the president or secretary of such company, that wages are due him and that the company is required to make payment for such wages so due, stating the amount claimed.

Contractors to give bond.

Laborers to give notice.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 31, 1855.

Chapter 87.

[*Published April* 14.]

An Act to amend section 9 of chapter 97 of the Revised Statutes, entitled of Grand and Petit Jurors.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Sec. amended.

SECTION 1. Section 9 of chapter 97 of the revised statutes is hereby amended so that the last clause of said section shall read as follows: "And the persons so drawn as petit jurors to appear before the said court at or before the hour of 11 o'clock, A. M., on the first day of the term thereof, to serve as petit jurors.

SEC. 2. This act shall be in force and take effect from and after its passage and publication.

Approved, March 2, 1855.

Chapter 88.

[*Published April 26.*]

An Act to appropriate to John Taylor the sum of money therein named, for digging a well for the States Prison.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The commissioner of the states prison is hereby authorized and directed to allow John Taylor three hundred and twenty-five dollars, including the amount already paid for such well by the commissioner of the state prison, the same being allowed two hundred dollars, (for all compensation for digging a well for the states prison in 1854,) on settlement with the said John Taylor for digging such well, and all other accounts between said John Taylor and said commissioner, and to ascertain and pay the balance (if any) to said John Taylor, out of any moneys appropriated to said commissioner to defray the expenses of the states prison. Appropriation.

SEC. 2. This act shall be in force from and after its passage.

Approved April 2, 1855.

Chapter 89.

[*Published April 24.*]

An Act to amend Chapter 126 of the Revised Statutes relating to Information in the nature of a Quo Warranto.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SEC. 1. Informations in the nature of a Quo Warranto may be filed and prosecuted in the circuit courts of this state in the same manner, subject to the same restrictions, and with like effect as the same can now be filed and prosecuted in the supreme court, within thirty days after the decision of the circuit court shall be made, in the same Quo Warranto —information in nature of.

manner as appeals are taken from a final decree in suits in chancery.

Made applicable to circuit courts.

SEC. 2. All the provisions of law relating to Informations in the nature of a Quo Warranto, and the prosecution of the same in the Supreme Court, are hereby made applicable to the circuit courts of this state.

When shall not apply.

SEC. 3. The provisions of this act shall not apply to any case where any person shall usurp, intrude into or unlawfully hold or exercise any state office: *Provided*, That in all cases above provided for either party may appeal to the supreme court.

Proviso.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved March 31, 1855.

Chapter 90.

[*Published April* 28.]

An Act in relation to moneys derived from licences and to repeal so much of the Session Laws of 1851, as is inconsistent with the provisions of this act.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Disposition of money derived from licenses.

SECTION 1. All moneys derived from licenses granted by the towns, cities and villages of the several counties in this state, under chapter one hundred sixty-two of the session laws of eighteen hundred fifty-one, shall be paid by the treasurers of said towns, cities and villages into the treasury of the county, semi-annually, and to be applied solely for the purpose of defraying the pauper expenses of said counties in which the distinction between town and county poor has been abolished and all paupers are become county paupers.

Acts repealed.

SEC. 2. All acts and parts of acts that conflict with section one of this act are hereby repealed, and this act shall be in force from and after its passage.

Approved April 2, 1855.

Chapter 91.

[*Published April 9.*]

An Act to authorize the State Superintendent of Public Instruction to dispose of the title of the State of Wisconsin to Escheated Lands.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

State superintendent to dispose of escheated lands.

SECTION 1. The State Superintendent of Public Instruction is hereby authorized and required to sell and dispose of, at public auction, all the right, title and interest of the State to any lands which have escheated to the former Territory of Wisconsin, or to the State of Wisconsin for want of heirs.

To make out certificate to purchasers.

SEC. 2. Upon the sale of said land the Superintendent shall make out a certificate to the purchaser or purchasers, stating the price of the same, and the county where the same lie, giving, if known, a particular description of the same, and the Governor of the State, upon the presentation of the said certificate, shall, as Governor of the State, execute to said purchaser or purchasers, his or their assignee or assignees, a quit claim deed for the land described in said certificate, and the Secretary of State shall contersign the said quit claim deed, and affix the great seal of the state to the same: and the said quit claim deed, so executed as aforesaid, shall vest in the grantee or grantees, his or their heirs or assigns, all the title of the State of Wisconsin in and to the said land, both at law and in equity; and the said grantee or grantees, his or their heirs or assigns, shall have the same right of action, in the name of the State of Wisconsin, as the state would have had without said sale and conveyance: *Provided*, That in no event the State shall be liable for any costs, or pay any money for any purpose after the execution of the said deed, made and arising from the sale of the said land.

Governor to execute quit claim to purchasers.

Proviso.

Notice of sale to be given.

SEC. 3. The State Superintendent before making any such sale shall cause public notice to be given for at least six weeks before the time fixed for such sale, of the time and place of making the same; which said notice shall be by publication in not less than one newspaper published in the county where the land lies, or if no paper be published in said county, by publication in two of the papers printed at the seat of government.

Approved, March 31, 1855.

Chapter 92.

[*Published April 9.*]

An Act to amend an act entitled "an act for the encouragement of Agriculture and its kindred arts in this state," approved March 23d, 1854.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Sec. amended. SEC. 1. Section four of chaper 40 of the General Laws of 1854, entitled "an act for the encouragement of agriculture and its kindred arts in this state," is hereby so amended as to read as follows:

"The sums of money hereby appropriated shall be paid to the treasurer of said society in the month of March in each year, upon the order of the President and Secretary of said society: *Provided*, That if this act shall be repealed prior to the payment of such sum of money, in any year, then said society shall not be entitled to the appropriation herein named on the year of such repeal."

Proviso.

SEC. 2. This act shall take effect from and after its passage.

Approved March 31, 1855.

Chapter 93.

[*Published, April 9, 1855.*]

An Act supplementary to an act entitled "An Act to establish a State Board of Equilization of State Tax, and to provide for levying a State Tax for the year 1854," approved April 1st 1854.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Clerk of board of supervisors —his duty and penalty for neglect.

SECTION 1. If the clerk of the board of supervisors of any county shall neglect or refuse to forward to the secretary of state, the statement required by section four of an act entitled "an act to establish a state board of equalization of state tax, and to provide for leving a state tax for the year 1854," approved April 1st, 1854, and within the time as required by said section four, such clerk shall

be deemed guilty of a misdemeanor, and shall be liable to a fine of fifty dollars and costs of collection of each and every offence; and it shall be the duty of the secretary of state, in every case where such statement shall not be received at his office, from any clerk, as aforesaid, on or before the first day of September in each year, to notify the district attorney of the county in which such clerk resides, of the delinquency of said clerk; and it shall be the duty of said attorney, on receiving such notice from the secretary of state, to demand of such delinquent clerk the penalty herein provided, and in case of refusal to pay such penalty, said attorney shall proceed to collect the same by legal coercion, with costs and fees as in other criminal cases. In case of prosecution of any clerk as herein provided, the certificate of the secretary of state, under seal of his office, shall be prima facie evidence of delinquency on the part of the clerk and consequent liability for the penalty provided in this act.

Duty of secretary of state.

SEC. 2. Every district attorney shall forthwith pay over to the treasurer of his county any fines received or collected by him under the provisions of this act, as provided by law in respect to fines and forfeitures.

SEC. 3. This act shall take effect and be in force from and after its passage and publication.

Approved, April 2, 1855.

Chapter 94.

[*Published April* 10.]

An Act for the relief of the purchasers of Section 16, in Township 24, Range 21.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Every person who holds a patent or certificate of purchase of any portion of that part of the sixteenth section, lying within the Military Reserve of Fort Howard, in the county of Brown, shall be entitled to receive the purchase money and interest paid for the lands

Holder of patent entitled to money, &c.

described in any such patent, or certificate, together with interest thereon from the dates of payment of the several sums up to the time when the same shall be refunded; and the secretary of state is hereby authorized to audit any claim presented for payment under this section, and the same when audited shall be paid out of the school fund.

Appraisers to be selected in certain cases.

SEC. 2. Whenever the purchaser, his heirs or assigns of any of the lands described in the first section of this act, shall have valuable improvements upon the lands claimed by him, and shall give notice thereof to the attorney general of the state, he shall select an appraiser, and the owner of such improvements shall select another appraiser, who together, if they are unable to agree, shall select a third, neither of whom shall have any interest directly or indirectly in the subject matter, nor be of kin to such owner; and said appraisers or a majority of them shall proceed to hear testimony and assess the value of such improvements, and their award shall be made in writing and returned to the secretary of state within sixty days after the hearing, unless an appeal shall be taken as hereinafter directed.

Shall make award.

Parties may appeal from award to circuit court.

SEC. 3. Either party may appeal from such award to the circuit court of the county of Brown, within thirty days after the same shall be made, and such appeal shall be tried by a jury as other cases commenced in said circuit court, and upon the finding of the jury, judgment may be rendered in favor of either party, but no execution shall issue thereon against the attorney general.

SEC. 4. The return of said award to the secretary of state by the appraisers, or of a certified transcript of the judgment rendered upon appeal by the circuit court, shall authorize the said secretary to draw his warrant upon the treasurer for the payment of the amount found due and all costs, to be paid out of the school fund.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved April 2, 1855.

Chapter 95.

[*Published May* 2, 1855.]

An Act to amend chapter 477 of the Session Laws of 1852, entitled an act providing more fully for the organization of the State Prison and for regulating chapter 287 of the Session Laws of 1851, and to provide more fully for the organization of the State Prison.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Commission'rs of state prison to let work of convicts to highest bidder.

SEC. 1. The commissioner of state prison is hereby authorized to let out the work of the convicts engaged in the mechanical departments of labor in the prison to the highest and best bidder or bidders, who shall make application to contract for such labor, upon such conditions as shall to him seem most beneficial, when he shall deem that the same can be done for the best interest of the state. Previous to entering into any contract with any person or persons, for the purpose above specified, the commissioner shall give notice, in at least two newspapers in the state, that the labor of the convicts, in the respective mechanical departments, will be let out to the highest and best bidder or bidders, on a day certain, which shall be specified in such notice, and that sealed proposals for said labor will be received at the office of the commissioner, up to a certain day or hour, also specified in such notice. Said notice shall be published at least three successive weeks.

To give notice.

Persons receiving such labor to give bond.

SEC. 2. The person or persons to whom such labor may be given, on contract, shall be required by the commissioner to give good and sufficient bonds, with two or more sureties, in such reasonable sum as may be deemed necessary for the faithful performance of such contract; and such person or persons, so contracting, shall be further required to pay such reasonable rentage for the use of the prison shops furnished by the state as shall be agreed upon between them and the commissioner aforesaid.

Shall pay rent.

Commissioner may employ convicts.

SEC. 3. If the commissioner of the prison shall at any time deem it for the best interest of the state, he may employ the convicts outside the prison or yard, in quarrying stone, cultivating the prison farm, or in any other labor pertaining to the prison, when the same can be done without any chance or possibility of escape on the part of the convicts so employed; and in such case the commissioner shall at all times detail a sufficient force of the prison police to watch and guard the convicts, when so em-

ployed, as prudence shall direct and the necessities of the case require.

SEC. 4. The commissioner is also hereby authorized and required to employ the labor of the convicts who understand stone dressing, in dressing stone suitable for the main building of the prison, on the prison walls, either or both, so long as he shall deem it for the interest of the state so to do, and he may also, if he deem the same advisable, make the necessary excavations for the main building of the prison, and do such other work in connection therewith as shall be proper, preparatory to the erecting of the main buildings, according to the present plan thereof; and shall have power to contract for all the stone necessary to be dressed and used for the above purposes.

Warden to make contracts

SEC. 5. All contracts on account of the prison shall be made by the warden, in writing, unless when the wants and necessities of the prison shall compel the commissioner to purchase supplies of any kind immediately, in which case he is hereby authorized to purchase the same upon verbal agreement.

Salary of chaplain.

SEC. 6. The chaplain of the prison shall receive a yearly salary of two hundred and fifty dollars, to be paid in equal quarterly payments.

Acts repealed.

SEC. 7. All acts or parts of acts contravening the provisions of this act are hereby repealed.

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved April 2, 1855.

Chapter 96.

[*Published April* 19.]

An Act to appropriate the Income of the University Fund for 1855.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

University fund appropriated.

SECTION 1. The income of the University Fund for the year A. D. 1855, is hereby appropriated to "The University of Wisconsin," to be drawn from the State Treasury in such manner as the board of Regents, by their by-laws or resolution shall direct.

Approved, March 31, 1855.

Chapter 97.

[*Published May 2.*]

An Act for the safe keeping of bills, memorials, or other legislative documents, and to punish offences for destroying or altering the same.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Chief clerk of senate responsible for the safe keeping of bills, &c.

SECTION 1. The chief clerk of the senate shall be personally responsible for the safe keeping of every bill, memorial, joint resolution or other documents or paper pertaining to legislation which shall come to his hands, or to the hands of his deputy or assistant, from any member, committee or officer of the legislature, or either branch thereof; and he shall keep a record of all such bills, memorials, joint resolutions, or other documents or paper pertaining to legislation, which shall come to his hands or possesession as such clerk, or which shall come to the hands of his deputy or assistant clerk, and shall enter in such record, the dispostiion made of the same.

To keep record of.

Chief clerk of assembly responsible for the safe keeping of bills, &c.

SEC. 2. The chief clerk of the assembly shall be personally responsible for the safe keeping of every bill, memorial, joint resolution or other document or paper pertaining to legislation, which shall come to his hands from any member, committee, or officer of the legislature, or either branch thereof; and he shall keep a record of all such bills, memorials, joint resolutions, or other document or paper pertaining to legislation which shall come to his hands or possession as such clerk, or which shall come to the hands of his deputy, assistant clerk, and shall enter in such record, the disposition made of the same.

To keep record of.

Penalty for destroying any legislative document.

SEC. 3. If any clerk, deputy or assistant clerk, or any other person or persons, shall knowingly and wilfully take or abstract from the files or possession of the chief clerk of either branch of the legislature, or from the possession of any deputy or subordinate clerk of thelegislature, or of either branch of the legislature, having the custody of the same, or any bill, memorial, joint resolutiion, report or other document or paper, pertaining to, or a part of the business of the legislature, or either branch thereof, or shall knowingly and wilfully take or abstract any act, bill, memorial, joint resolution or other document or paper pertaining to or a part of the business of legislation, from the possession of the governor or his pri-

vate secretary, or from the office or possession of the secretary of state, with intent thereby to impede legislation or to defeat the passage of any such act, memorial or joint resolution, through the legislature or either branch thereof, or to prevent the same from taking effect or becoming a law, such clerk, deputy, assistant or officer of either branch of the legislature, or other person so offending, shall be deemed guilty of a crime, and shall be punished by imprisonment in the county jail not less than three months, nor more than one year, or shall pay a fine not exceeding five hundred dollars nor less than one hundred, in the discretion of the court.

Penalty for altering any document.

SEC. 4. If any clerk, officer, or other person, shall alter, mutilate or forge any such act, bill, memorial, joint resolution, or other document or paper, pertaining to or being a part of the business of legislation, with wilful or malicious intent to destroy the same, or so as to change the intent or meaning of the same when it passes the legislature, or either branch thereof, such clerk, officer, or other person, shall be deemed guilty of a crime, and shall be punished by imprisonment in the county jail not to exceed one year nor less than six months, or by fine not exceeding five hundred dollars nor less than two hundred dollars, at the discretion of the court.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved April 2, 1855.

Chapter 98.

[*Published April* 6.]

An Act to pay the postage of the several State Offices.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Sec'y of state to audit acc't of postmaster.

SECTION 1. The secretary of state is hereby authorized to audit the accounts of the postmaster at Madison, for the postage of the executive office, office of secretary of state, attorney general, state superintendent, bank comptroller,

state treasurer, and clerk of the supreme court, for the year 1855, said accounts to be certified by the said postmaster by affidavit.

SEC. 2. There is hereby appropriated to the postmaster at Madison, out of any money in the treasury not otherwise appropriated, a sum sufficient for the payment of the above accounts, to be drawn quarterly from the treasury, upon the presentation of said accounts property certified to by their respective offices. Appropriation.

Approved April 2, 1855.

Chapter 99.

[*Published April* 24.]

An Act to amend an act "entitled an act to amend chapter eighty-four of the revised statutes," relating to proceedings in chancery.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of an act entitled "an act to amend chapter eighty four of the revised statutes, approved April 2, 1853, is amended so as to read as follows: Sec. amended.

"In all suits of chancery brought to compel a specific performance of a contract or foreclose any mortgage made by any person or persons, who have died, or brought by any person having the possession and legal title to land in any case where any other person while living set up any claim thereto, and his, her or their heirs, against whom the suit is brought, or any of them, are unknown to the complainant or complainants, it shall be lawful for him, her or them, to proceed against such unknown heirs as against absent defendants to the bill, by the name or description of 'The unknown heirs of deceased, filling the blank with the name or names of the deceased person or persons whose heirs may be proceeded against, and by such name or description notice shall be given by publication, and any decree made against such unknown heirs shall be as valid and binding as if his, her or their respective names had been inserted in the bill and proceedings.

SEC. 2. This act shall be in force from and after its passage.

Approved, April 2, 1855.

Chapter 100.

[*Published April* 28.]

An Act to amend chapter twenty-eight of the Revised Statutes relative to Superintendents of the Poor.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Chap amended

SEC. 1. Whenever any vacancy shall occur in any office of superintendent, whose election is provided in section thirty-three, chapter twenty-eight of the revised statutes, the same may be filled in the same manner as now provided for in an original election for the aforesaid superintendent.

SEC. 2. This act shall take effect from and after its passage.

Approved April 2, 1855.

JOINT RESOLUTIONS

OF THE

SENATE AND ASSEMBLY,

OF THE STATE OF WISCONSIN—SESSION OF 1855.

Number 1.

Joint Resolution in relation to patents.

Resolved, by the two Houses of the Legislature of the State of Wisconsin, in general assembly, That our senators be instructed, and our representatives in congress be requested to use all honorable means to prevent any renewal by congress or otherwise, of the patents formerly granted to Cyrus H. McCormick, More & Hascal, and Obed Hussey for reaping and mowing machines, as such extension would operate to the great detriment of the agricultural interests of this State. In relation to patents.

Resolved, That the Governor be requested to forward to each of our senators and representatives in congress, a copy of the foregoing resolutions.

Approved, Jan. 29, 1855.

Number 2.

Joint Resolution concerning the naturalization law.

1. *esolved by the Senate of the State of Wisconsin, the Asembly concurring,* That we are opposed to the alteration of the law on the subject of naturalization, and that our senators be instructed and representatives in Congress To naturalization law.

be requested to oppose the passage of any law extending the time of residence beyond the time now required by existing laws on that subject.

2. That the Governor be requested to forward a copy of this resolution to each of our senators and representatives from this state.

Approved January 29, 1855.

Number 3.

Joint Resolution relating to the Revised Statutes.

To revised statutes.

Resolved, by the Senate, the Assembly concurring, That the superintendent of public property be instructed to purchase for the benefit of the state the unsold balance of the published edition of the "Revised Statutes of Wisconsin," now remaining for sale: *Provided*, The number of such copies shall not exceed three hundred and twenty-five, and can be procured at a price not exceeding two dollars and fifty cents per copy.

Approved January 2, 1855.

Number 4.

Joint Resolution in relation to the return of School Money.

To school money.

Resolved, by the Senate, the Assembly concurring, That the joint resolution of last session, which authorizes the state treasury to withhold school money from the counties deficient in the payment of their state revenue, be and the same is hereby rescinded.

Approved February 5, 1855.

Number 5.

Joint Resolution of the Senate and Assembly of the State of Wisconsin respecting the Officers, Soldiers and Sailors who served in the war of 1812.

To officers, &c. of the war of 1812.

Resolved by the Senate, the Assembly concurring, That in the disposal of the public lands by the Congress of the United States, the claims of the surviving officers, soldiers and sailors who served in the war of 1812, and of the widows and legal representatives of such deceased officers, soldiers and sailors ought not to be disregarded or overlooked, and that all such officers, soldiers, sailors, widows, and legal representatives should be entitled to the same bounty from the General Government as has been extended to the soldiers in the late Mexican war.

Resolved, That the benefits of the Pension System which was established for the soldiers of the war of the Revolution, should be extended to the officers, soldiers and sailors of the war of 1812, and their respective widows.

Resolved, That his Excellency, the Governor, be requested to transmit a copy of these resolves to each of our senators and representatives in Congress, who are requested to lay them before the respective houses of Congress.

Approved February 8, 1855.

Number 6.

Joint Resolution providing for committee to visit State Prison.

Committee to visit state prison.

Resolved, by the Senate, the Assembly concurring, That a committee of five—two from the Senate and three from the Assembly, be appointed to visit the State prison, with instructions to report to their respective houses, the present condition and future wants of the same, and that they have power and authority to investigate all the concerns of said prison, and the accounts of the commissioner for the last year, and the contract, and the amount paid thereon, and amount due, of Mr. Proudfit. Also to enquire into, and report upon the discipline of said prison by the commissioner thereof, and shall have power to send for and examine persons and papers.

Approved, Feb. 10, 1855.

Number 7.

Joint Resolution in relation to the Transmission of the Statutes and Public Acts of Wisconsin to "The New York Law Institute."

To transmission of statutes &c., to N. York Law Institute.

Resolved, by the Senate and Assembly of the State of Wisconsin, That the secretary of state be directed to transmit to "The New York Law Institute," in the city of New York, a full and complete set of the statutes and public acts of the State of Wisconsin, heretofore published; and also of those hereafter to be passed, at each session of the legislature, as soon as published and ready for delivery, and distribution.

Approved February 13, 1855.

Number 8.

Joint Resolution instructing the committee on enrolled bills to strike out certain words in an act entitled "an act to amend the charter of the Milwaukee and Mississippi Railroad Company."

Committee on enrolled bills to strike out certain words.

Resolved, by the Senate the Assembly concurring, That the joint committee on enrolled bills are hereby instructed to strike out the words "or near" where they first occur in section one of a bill, entitled "a bill to amend the charter of the Milwaukee and Mississippi Railroad company," which has passed the senate and assembly and been enrolled, and which words were stricken out by the senate in its passage, and was transmitted to the Assembly with those words in the engrossed bill.

Approved, February 21, 1855.

Number 9.

Joint Resolution relative to the sale of School and University Lands.

Relative to the sale of school lands.

Resolved, That the Secretary of State be, and he is hereby directed to cause to be published the "suspending the sale of the School and University lands, except for settlement and cultivation," immediately after the same shall be approved by the Governor.

Approved March 5, 1855.

Number 10.

Joint Resolution for the election of members of the Board of Regents of the University of Wisconsin.

Resolved, by the Senate, the Assembly concurring, That the senate and assembly will meet in joint convention in the assemly hall on Wednesday, the 14th day of March inst., at 3 o'clock P. M., to elect four members of the Board of Regents of the University of Wisconsin, pursuant to section 4 of chapter 18 of the revised statutes, and to fill vacancies, if any there are, in said board. To election of board of Regents of the university of Wisconsin.

Approved March 13, 1855.

Number 11.

Joint Resolution for distributing of Documentary History of Wisconsin.

Resolved, by the Senate and Assembly of the state of Wisconsin, That the Superintendent of Public Property be directed to distribute to each member and officer of the present legislature and to the present state officers five copies of the Documentary History of Wisconsin, including such portion of said work as may not now be deposited with him, to be delivered to the Secretary of State to be forwarded in the same manner, and with the session laws. To distribut'n of Documentary History.

Approved March 31, 1855.

Number 12.

Joint Resolution for adjournment.

Resolved, by the Senate the Assembly concurring, That this Legislature will adjourn sine die, on Monday the 2d day of April next, at six o'clock in the morning. To adjournment.

Approved, March 31, 1855.

MEMORIALS

OF THE

SENATE AND ASSEMBLY,

OF THE STATE OF WISCONSIN—SESSION OF 1855.

Number 1.

A Memorirl to Congress for the establishment of a mail route from Fond du Lac to La Crosse.

The memorial of the Legislature of the State of Wisconsin respectfully represents:

Memorial for a mail route fr'm Fond du Lac to La Crosse.

That the interest and convenience of a large section of the State urgently demand the establishment of a tri weekly mail route from Fond du Lac via. Rosendale, Ripon, Dartford, Princeton, Montello, Packwaukee, Oxford, Dell Prairie, Newport, Dellton, Seven Mile Creek, Mosston, Fountain, Ridgville, Sparta, Big Valley, Burns City, and Neshaunock to La Crosse.

The said route is a direct line and much the shortest and best from La Crosse to Lake Michigan, and if once established would speedily become one of the greatest thoroughfares in the state.

Your memorialists therefore ask that said route may be immediately established.

Approved January 29, 1855.

Number 2.

A Memorial to Congress for a mail route from Fox Lake to Montello.

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

From Fox Lake to Montello.

That the wants and interests of a portion of country, very thickly settled, and now almost entirely destitute of mail facilities, urgently require the establishment of a tri-weekly mail route from Fox Lake, in Dodge county, via Shawana, Kingston and Long Lake, to Montello, in Marquette county.

That the amount of mail matter which would be transmitted over said route immediately upon its establishment would more than remunerate government from the expense of carrying the same.

Your memorialists, therefore, respectfully ask that said route may be immediately established.

Approved January29, 1855.

Number 3.

A Memorial to Congress for a mail route from Oshkosh, in Winnebago county, via Evanswood, Weyawega and Waupacca, Ogdensburgh, in Waupacca county, and Amherst, to Steven's Point, in Portage county.

The Hon. the Senate and House of Representatives, in Congress assembled.

The Memorial of the Senate and Assembly of the State of Wisconsin, sheweth:

From Oshkosh via. Evanswood, etc., to Stevens Point.

That the interest and commerce of the north-eastern and north-western portions of this state require imperatively the establishment of a tri-weekly mail route from Oshkosh, in Winnebago county, via Evanswood, Weyawega and Waupacca, Ogdensburg, in Waupacca county, to Amherst and to Steven's Point, in Portage county.

Approved February 6, 1855.

Number 4.

To the Honorable, the Post Master General of the United States.

The memorial of the Legislature of the State of Wisconsin, respectfully represents:

For increase of mail service on routes Nos. 13794 & 13783.

That the interests and convenience of the citizens of Marathon, Marquette, Adams, Waushara, Columbia and Portage counties would be much advanced by your favorable consideration of this memorial, viz: the increase of mail facilities on the following routes:

Route No. 13794, from "Portage City" to "Stevens' Point" via "Packwaukie," to three times a week.

Route No. 13783, from "Stevens' Point" to "Wausau," to twice a week, and the same be extended from "Wausau" to "Jenny Bull," in Marathon county.

And further that a route may be established from "Wausau" to the "Upper Mill" on the L'Eau Claire River, distance from "Wausau" ten miles, once a week.

Approved February 13, 1855.

Number 5.

Memorial to the Post Master General for the establishment of a mail route therein named.

To the Honorable, the Post Master General of the United States.

The memorial of the Legislature of the State of Wisconsin respectfully represents:

From Theresa to Juneau.

That the interest and convenience of the citizens of a thickly populated portion of Dodge county are greatly interested in the establishment of a semi-weekly mail from Theresa, via. Mayville, Horicon, to Juneau, in Dodge county.

Your memorialists therefore respectfully ask, that the mail service asked for, be established at the earliest period.

Approved February 13, 1855.

[Number 6.

A Memorial to Congress for the establishment of a mail route from Springville to La Crosse.

To the Honorable the Senate and House of Represetatives of the United States, in Congress assembled.

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

From Springville to La Crosse.

That the interest and convenience of a large number of the inhabitants of the counties of Bad Ax and La Crosse require the establishment of a side mail route from Springville, in Bad Ax county, to La Crosse, in La Crosse county.

Your memorialists would therefore respectfully ask that the aforesaid mail route may be established at the earliest practicable period.

Approved, February 16, 1855.

Number 7.

Memorial to the Post Master General for an increase of Mail Service on route No. 13744, between Janesville and Mineral Point.

To the Post Master General of the United States.

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

For increase of mail service on route No. 13744.

That the interest and convenience of the citizens of the counties of Rock, Green, La Fayette and Iowa, require that the mail service between Janesville in the county of Rock and Mineral Point, in the county of Iowa, should be changed as follows, to wit: A daily mail from Janesville to Albany in the county of Green, and thence to Mineral Point a mail twice in a week.

Your memorialists therefore respectfully request that the change above stated be made at as early a day as possible.

Approved February 16, 1855.

Number 8.

To the Honorable, the Postmaster General of the United States.

The memorial of the State of Wisconsin respectfully requests:

That there be established a daily mail on the route between the city of Madison, the capitol of the state, and the city of Janesville, in the county of Rock. For daily mail between Madison and Janesville.

Your memorialists would state that the distance between said cities is about forty miles, and that the city of Janesville contains over six thousand inhabitants; and that a large portion of the people residing in the county of Rock, of which the city of Janesville is the county seat, get their mail through the Janesville postoffice.

Your memorialists further represent that there are two trains of railroad cars per day passing each way between said cities, and that the mail at present is carried by a tri-weekly stage.

Your memorialists therefore respectfully ask that the aforesaid increase of mail service be granted at the earliest practical period.

Approved February 16, 1855.

Number 9.

Memorial to the Post Master General of the United States of America for an increase of mail service on route number 13756.

To the Post Master General of the United States of America.

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

That the interest and convenience of the citizens of the Western portion of the State of Wisconsin require that the mail service on route No. 13756, between Mineral Point, Wisconsin, and Warren, Illinois, be increased to a daily mail. For increase of mail service on mail route No. 13756.

Your memorialists therefore respectfully request that the change and increase above stated be made at as early a day as practicable.

Approved February 16, 1855.

Number 10.

Memorial to Congress for a tri-weekly mail route from Portage City to La Crosse.

To the Hon. the Senate and House of Representatives of the United States.

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

For tri-weekly mail from Portage City to La Crosse.

That within a very few years past, the extent of country between Portage City, formerly Fort Winnebago, and La Crosse, upon the Mississippi River, in the state of Wisconsin, has attracted the attention of settlers so much that on the entire route a continuous line of actual settlements are made, farms opened, mills erected and towns and villages are springing up of the intelligent and enterprising of our common country.

That such is the business on this route, there is now in constant regular employment a semi weekly line of two-horse coaches for the conveyance of passengers, running the entire distance from Portage City to La Crosse.

That no mail route has been established although so much needed.

Your memorialists are of the opinion that a tri-weekly mail route established from Portage City to La Crosse will afford great facilities for the transmission of the mails to the Mississippi Valley, and be an act of justice to the settlers upon said route, while it would be well sustained by mail matter on the route.

Your memorialists therefore ask that said mail route tri-weekly, be established at the earliest practicable period.

The Governor of this state is requested to forward a copy of this memorial to the Hon. Henry Dodge, Senator, and Hon. Ben. C. Eastman, Representative in Congress of this state, at Washington, as soon as practicable.

Approved February 16, 1855.

Number 11.

A Memorial to the United States Congress for a daily mail route from Watertown, via Beaver Dam, Fox Lake, Mackford, Tichora Post Office, Green Lake and Dartford, to Berlin, Marquette county.

To the Honorable, the Senate and House of Representatives of the United States, in Congress assembled.

The Memorial of the Senate and Assembly of the State of Wisconsin, in Legislature assembled, respectfully sheweth:

That the interest and convenience of a large and densely populated portion of country are concerned in the establishment of a daily mail route from Watertown, via Beaver Dam, Fox Lake, Mackford, Tichora office, Green Lake and Dartford to Berlin, Marquette county. For daily mail from Watertown, via Beaver Dam, &c., to Berlin.

Your memorialists further state that the people residing in that portion of the state, through which the proposed route would pass, many of whom are now imperfectly and very poorly supplied with mail facilities would be greatly benefitted by the establishment of the above named route, which would furnish mail facilities to the above named places, much more cheaply than is now done by the various routes on which the mails are now carried, the whole distance not exceeding sixty miles.

Approved, February 17, 1854.

Number 12.

Memorial to the Congress of the United States in relation to the establishment of a mail route.

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

That the interests and convenience of a large portion of the citizens of Sauk county are intimately concerned in the establishment of a mail route from Helena (on the Wisconsin River) in Iowa county, by the way of Logansville, in Sauk county, to Newport, (on the Wisconsin River) at the Dells in Sauk county. For mail route from Helena to Newport.

Your memorialists represent that the citizens who reside in the district of country through which the contemplated mail route will pass, are now destitute of mail facilities, except as they are supplied in a very imperfect manner, and by distances from their settlements, creating daily inconveniences.

Your memorialists believe that the establishment of the proposed route will be a source of revenue to the department, and certainly will afford facilities of post office communication to a large number of citizens, who, by their industry and enterprise, are now fast settling and improving a valuable district of country. The whole distance will not exceed forty-five or fifty miles.

Approved, February 17, 1855.

Number 13.

A Memorial to the Congress of the United States for the establishment of a mail route from Oshkosh, in Winnebago county, to La Crosse, in La Crosse county.

To the Honorable, the Senate and House of Representatives of the United States.

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

From Oshkosh to La Crosse.

That the interest and convenience of the citizens of the counties of Winnebago, Marquette, Adams and La Crosse will be promoted by the establishment of a mail route from the city of Oshkosh, in Winnebago county, to La Crosse, in La Crosse county, via Berlin, in Marquette county, Grand Marsh, Quincy and Mill-Haven, in Adams county.

Approved February 21, 1855.

Number 14.

Memorial to Congress for a mail route from Stevens' Point, Wisconsin, to Ontonagon, on Lake Superior.

To the Honorable the Senate and House of Representatives of the United States in Congress assembled.

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

From Stevens' Point to Ontonagon.

That the inhabitants of Northern Wisconsin, and also of Michigan bordering on Lake Superior, would be greatly benefitted by the establishment of a weekly mail route from Stevens' Point, in Portage county, Wisconsin, via. Wausau to Ontonagon, on Lake Superior. It is beyond doubt the most direct and practicable route and passing through an interesting and rapidly settling portion of our country.

Approved February 24, 1855.

Number 15.

A Memorial for increase of mail service from Richmond, McHenry county, Illinois, to Kenosha City, in Kenosha county, Wisconsin.

To the Honorable, the Senate and House of Representatives of the United States.

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

From Richmond, Ill., to Kenosha city.

That the citizens of a densely populated portion of country labor under serious inconveniences for the want of a semi weekly mail on mail route No. 13652, leading from Richmond, McHenry county, Illinois, via Wilmot, Liberty, to Kenosha city, in Kenosha county, Wisconsin.

Your memorialists therefore respectfully ask your honorable body to grant, the mail service required, at the earliest period.

Approved February 28, 1855.

Number 16.

A Memorial to the Congress of the United States in relation to the establishing a mail route.

The People of the State of Wisconsin represented in Senate and Assembly respectfully represent:

From Apple River Station, Ill., to Platteville, Wis.

That it would materially benefit the rapidly increasing population of the counties of La Fayette and Grant, to have a daily mail route established from Apple River Station, on the central Illinois Rail Road in the county of Jo Daviess, and state of Illinois, by way of the villages of Shullsburgh, New Diggings and Benton, in La Fayette county, to Platteville, in Grant county, a distance of about twenty-five miles.

Your memorialists therefore urge upon your honorable body, the necessity of immediately establishing such mail route.

Approved, February 28, 1855.

Number 17.

Memorial for a mail route from Appleton in Outagamie county to Shawano Mills, in Shawano county.

To the Honorable the Senate and House of Representatives of the United States.

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

From Appleton to Shawano Mills.

That the interest and convenience of a large number of the citizens of Outagamie and Shawano counties would be greatly promoted by the establishing of a weekly mail route from Appleton, in Outagamie county, to Shawano Mills, in Shawano county. Your memorialists therefore ask that the aforesaid mail route may be established at the earliest practicable period.

Approved March 5, 1855.

Number 18.

A Memorial to Congress for a mail route.

To the Honorable, the Senate and House of Representatives of the United States of America.

The Memorial of the Senate and Assembly of the State of Wisconsin respectfully represents:

That the interest and convenience of the northern portion of the state of Wisconsin, would be greatly promoted by the establishing of a weekly mail route from Shawano Mills, in Shawano county, to Ontonagon on Lake Superior, a distance of one hundred and thirty miles, and believe it to be the nearest and most practicable route to Lake Superior. From Shawano Mills to Ontonagon.

Your memorialists therefore ask that said mail route may be established at the earliest practicable period.

Approved March 5, 1855.

Number 19.

A Memorial to Congress for the establishment of a mail route from Muscoda in Grant county to Black River Falls in Jackson county.

To the Honorable, the Senate and House of Representatives of the United States, in Congress assembled:

The Memorial of the Senate and Assembly of the State of Wisconsin respectfully represents:

That the interest and convenience of a large and rapidly settling portion of the north western country urgently require the establishment of a semi-weekly mail route from Muscoda, in Grant county, via Orion, in Richland county, to Black River Falls, in Jackson county. There now being a semi weekly mail from Galena, Illinois, to Muscoda, the establishment of this, as a continuation of said route would furnish mail service to a portion of country now entirely destitute of this advantage, except at great inconvenience. From Muscoda to Black River Falls.

Your memorialists would therefore respectfully ask that said route may be established as speedily as possible.

Approved, March 5, 1855.

Number 20.

Memorial to the Post Master General for an increase of mail service on south portion of route No. 13752, from Albany, Green county, to Monroe, same county, Wisconsin.

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

From Albany to Monroe.

That the interests and convenience of the citizens of Green county would be greatly increased by the establishment of a tri-weekly mail from Albany, Green county, to Monroe, same county, in place of present once a week mail.

Your memorialists therefore respectfully ask that the aforesaid increase of mail service may be granted at the earliest practicable period, on the above named portion of said mail route.

Approved March 10, 1855.

Number 21.

Memorial to the Postmaster General for an increase of mail service on route No. 13,785 from Baraboo to La Crosse.

To the Hon. the Postmaster General of the United States.

The Memorial of the Legislature of the State of Wisconsin, respectfully represents:

From Baraboo to La Crosse.

That the rapid increase of settlement and business upon the line of mail route No. 13,785, from Baraboo to La Crosse, in the state of Wisconsin, has been so great that the travel and business of the route has so rapidly increased as to cause to be established the entire lenght of the route a semi weekly line of two-horse post coaches, which has been kept up and well sustained for the past year.

Your memorialists therefore pray an increase of service upon said route as soon as practicable, so that a twi-weekly instead of a weekly service may be had.

The governor of this state is requested to forward a copy of this memorial to the Hon. postmaster general, as soon as practicable.

Approved March 10, 1855.

Number 22.

Memorial to Congress for a Mail Route from Newport in Columbia County, to La Crosse, in La Crosse County.

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

That the citizens of a large portion of country are at present in great want of mail service from Newport in Columbia county, to La Crosse, in La Crosse county, by way of Mauston, in Adams county, and Sparta in Monroe county. From Newport to La Crosse.

Your memorialists therefore respectfully ask your Honorable body to establish a tri-weekly mail route on the route specified, at the earliest practicable period.

Approved, March 12, 1855.

Number 23.

Memorial to Congress for a mail route from Newport in Columbia county, to Reedsburgh, in Sauk county.

To the Honorable the Senate and House of Representatives in Congress assembled:

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

That the citizens of a densely [populated] portion of country labor under serious inconvenience for the want of a semi-weekly mail from Newport, in Columbia county to Reedsburgh, in Sauk county. From Newport to Reedsburg.

Your memorialists therefore respectfully ask your honorable body to grant the mail service required, at the earliest practicable period.

Approved March 12, 1855.

Number 24.

A Memorial to Congress, for increase of mail service from Madison to Newport, by way of Lodi and Baraboo.

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

From Madison to Newport.

That the interests of a large and densely populated portion of country would be greatly enhanced by an increase of mail service on the route from Madison, in Dane county, to Newport, in Columbia, by way of Lodi and Baraboo.

And further, that a daily line of express stages is profitably maintained over the whole extent of this route, and that therefore, the increase asked for could be obtained at a small cost.

Your Memorialists would therefore respectfully ask your honorable body to establish a daily mail over the route indicated, at the earliest practicable period.

Approved, March 12, 1855.

Number 25.

A Memorial to Congress for a mail route from Newport, in Columbia county, to Grand Rapids, in Portage county.

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

From Newport to Grand Rapids.

That the citizens of a large portion of country are at present in great want of mail service from Newport, in Columbia county, to Grand Rapids, in Portage county, by way of Quincy, in Adams county.

Your memorialists therefore respectfully ask your honorable body to establish a tri-weekly mail on the route indicated at the earliest practicable period.

Approved March 12, 1855.

Number 26.

A Memorial to Congress for mail service from Newport, in Columbia county, to Stevens' Point, in Portage county.

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

That the citizens of a large portion of country are at present in great want of mail service from Newport, in Columbia county, to Stevens' Point, in Portage county, by way of Dell Prairie. From Newport to Stevens' Pt.

Your memorialists respectfully ask your honorablebod to establish a tri-weekly mail on the route indicated, at the earliest practicable period.

Approved March 12, 1855.

Number 27.

A Memorial to Congress for mail service from Mineral Point, in Iowa county, to Newport, in Columbia county.

To the Honorable the Senate and House of Representatives of the United States of America:

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

That the citizens of a large and densely populated portion of country are at present in great want of mail service from Mineral Point, in Iowa county, to Newport, in Columbia county, by way of Dodgeville, Arena, Prairie du Sac and Baraboo to Newport, in Columbia county. From Mineral Point to Newport.

Your memorialists therefore respectfully ask your honorable body to establish a tri-weekly mail on the route indicated, at the earliest practicable period.

Approved, March 12, 1855.

Number 28.

A Memorial to Congress for mail service from the city of Portage to Newport in Columbia County.

The Memorial of the Legislature of the State of Wisconsin respectfully represents:

From Portage to Newport.

That the interests and convenience of a large portion of the citizens of Columbia county would be greatly enhanced by the establishment of a daily mail route directly from the city of Portage to Newport, a distance of eighteen miles.

Your memorialists therefore ask that said mail route may be established at the earliest practicable period.

Your memorialists would further respectfully represent that a daily express line of stages is now maintained by private enterprize on the route indicated, and the mails could doubtless be carried at a small cost.

Apprved, March 12, 1855.

Number 29.

A Memorial to Congress for a mail route from Green Bay, in Brown County, to Wausau, in Marathon County.

To the Honorable, the Senate and House of Representatives of the United States of America.

The Memorial of the Senate and Assembly of the State of Wisconsin respectfully represents:

From Green Bay to Wausau

That the interest and convenience of a large portion of the citizens of Brown county, Shawano county and Marathon county, would be greatly promoted by the establishing of a weekly mail route from Green Bay, in Brown county, by way of Shawano Mills, in Shawano county, to Wausau, in Marathon county, a distance of seventy-five miles.

Your memorialists therefore ask that said mail route may be established at the earliest practicable period.

Approved March 12, 1855.

Number 30.

A Memorial to the Post Master General of the United States for an increase of mail service from Platteville to Muscoda, Grant county.

The Memorial of the Senate and Assembly of the State of Wisconsin respectfully represents:

From Platteville to Muscoda.

That the interest and convenience of a large portion of the citizens of Grant and Richland counties of this State, would be greatly promoted by the increase of mail services from Platteville Grant county to Muscoda; that in consequence of the rapid increase of population, your memorialists ask that the said service may be increased to a tri-weekly mail.

Approved, March 12, 1855.

Number 31.

A Memorial to the Postmaster General for a mail service from Stoughton, in Dane County, to Union, in Rock County.

To the Honorable, the Senate and House of Representatives in Congress assembled.

The Memorial of the Legislature of the State of Wisconin respectfully represents:

From Stoughton to Union.

That the interests and necessity of numerous citizens of the towns of Dunkirk and Rutland, in the county of Dane, and of the town of Porter, in the county of Rock, are deeply interested in the establishment of a tri-weekly mail route from Stoughton, in the county of Dane, by way of Dunkirk, in the same county, and Cooksville, in the county of Rock, to Union, in the county of Rock.

Your memorialists would represent that the citizens along the proposed route are subjected to much delay in communication by the present uncertain mail facilities.

Your memorialists therefore request your honorable body to establish the above mail route as speedy as possible, with tri-weekly mail service thereon.

Approved March 21, 1855.

Number 32.

Memorial to Congress for a mail route from Green Bay in Brown county to Eldred's Mills, in Howard in Oconto county.

The People of the state of Wisconsin respectfully represent as follows:

From Green Bay to Eldreds Mills.

That the interest and convenience of a large portion of the citizens of the counties of Brown and Oconto are laboring under great inconvenience for the want of a mail route from Green Bay, in Brown county, to Eldreds Mills in Howard in the county of Oconto, and therefore request that Congress will establish said mail route at the earliest practicable period.

Approved, March 23, 1855.

Number 33.

Memorial to Congress for the establishment of a mail route from Hales Borners Post office in the town of Greenfield in the county of Milwaukee to the Yorkville Post Office in the town of Yorkville in the county of Racine.

The Legislature of the State of isconsin would respectfully represent:

From Hale's Corners to Yorkville.

That the convenience and necessity of the inhabitants residing on, and in the vicinity of the public road connecting Hale's Corners, in the county of Milwaukee, with Yorkville, in the county of Racine, demand the establishment of a post route between said post offices, and would therefore petition for the speedy establishment of a mail route between the said points, and the erection of intermediate post offices.

Approved, March 23, 1855.

Number 34.

A Memorial to the Postmaster General for increase of mail service on mail route No. 13,773 and route No. 13,777.

To the Honorable the postmaster general of the United States.

The Memorial of the Legislature of Wisconsin respectfully represents:

That the interest and convenience of a large number of inhabitants of the counties of Bad Ax, La Crosse and Jackson, in the State of Wisconsin, would be greatly enhanced by the establishment of a tri-weekly mail route No. 13,773 and 13,777 between Prairie du Chien and Black River Falls, via Bad Ax, Viroqua, Springville, Coon Prairie, La Crosse, Onalaska, Lewis' Mills and Douglass' Mills. For increase of mail service on routes Nos. 13773 & 13777.

Your memorialists are satisfied that from the rapid settlement of the country through which said mail routes pass, their settlement by people from all portions of our common country, as well as foreign countries, the unparalelled increase of towns and villages, and the necessary augmentation of business and correspondence require a tri-weekly mail service the present weekly mail service being entirely inadequate to the wants of the people and the business of the country, and that during the past year the population and business of the counties above mentioned has nearly or quite doubled.

Your memorialists therefore respectfully ask that the aforesaid increase of service on said routes may be established at the earliest possible day.

The governor of Wisconsin is requested to forward a copy of this memorial to each of the honorable members of congress from this state, as soon as practicable.

Approved March 29, 1855.

Number 35.

A Memorial to Congress for a mail route therein named.

The memorial of the Legislature of the State of Wisconsin respectfully represents:

From Portage City to Cascade.

That the distance from Portage City to Cascade is about thirty miles and that a large population upon said route are at present in great need of mail facilities.

Your memorialists therefore respectfully ask your honorable body to establish a weekly mail route from Portage City to Cascade, via Briggs' Mills and Davis' Tavern in Columbia county, they will ever pray, &c.

Approved, March 29, 1855.

Number 36.

Memorial to Congress for a Mail Route.

To the Honorable the Senate and House of Representatives of the United States of America:

The Memorial of the Senate and Assembly of the State of Wisconsin, respectfully represents:

For daily mail from Polk to Sheboygan.

That the interests and convenience of a large portion of the citizens of Washington and Sheboygan counties, would be greatly promoted by the establishing of a daily mail route from Polk, in Washington county, via, West Bend, Barton, Scott, Cascade and Sheboygan Falls, to Sheboygan, in Sheboygan county, a distance of about forty-seven miles.

Your memorialists therefore ask that said mail route may be established at your earliest convenience.

Approved, March 31, 1855.

STATE OF WISCONSIN, } ss.
SECRETARY'S OFFICE. }

I, ALEXANDER T. GRAY, Secretary of State of said State, do hereby certify, that the laws published in this book have been compared with the original enrolled acts deposited in this office, and that they appear to be correctly printed.

In Testimony, Whereof, I have hereunto set my hand, and affixed the Great Seal of said State, at the Capitol in Madison, this 15th day of May, 1855.

[L. S.]

ALEXANDER T. GRAY,
Secretary of State.

APPROPRIATIONS.

No.	To whom, and for what appropriated.	Amount
1	James T. Lewis, acting Governor and member of the Board of equalization,	263 42
2	Legal representatives of Robert Jenkinson, services and expenses of Robert Jenkinson	200 00
3	George Williams, services, expenses and disbursements,	139 09
4	Perry Lee, Travel and Services,	20 00
5	Isaac S. Sherwood, Iron furnished for South Wing of State Prison,	8,295 20
6	S. M. Booth, advertising,	8 00
7	Hiram C. Dodge, articles furnished State,	4 54
8	V. W. Roth, Clocks and stationery,	291 81
9	E. Schumaker, Lock for safe of State Treasury,	10 00
10	Gustavus Brunet, conveying state prisoner	25 00
11	M. L. Sayles, Sheriff of Dodge county,	19 00
12	Beriah Brown and David Atwood, printing,	9,490 87
13	Thomas McHugh, organizing Assembly of 1855,	25 00
14	Tibbitts & Gordon, account rendered,	1,069 69
15	John F. Burchard, furniture, freight and charges,	1,286 40
16	John Wright, merchandize,	137 99
17	James Halpin, services and expenditures,	131 71
18	Billings & Carman, blacksmithing,	29 25
19	Howell & Cotton, materials for state prison,	149 50
20	Campbell & Brush, and Livesy & Carroll, fire proof building for U. S. Weights and Measures,	423 50
21	Mathias Martin, services,	102 00
22	Mathias Martin 2d, services,	47 00
23	Bradford Brothers, account rendered,	412 65
24	Charles B. Ellis, sheriff Waukesha county,	82 50
25	A. Whittemore & Co., books and materials furnished State departments,	846 72
26	Cyrus K. Lord, township plats for Commissioners to select school lands,	155 50

No.	To whom, and for what appropriated.	Amount
27	Austin Kellogg, sheriff of Jefferson county,	28 60
28	Darwin Clark, account rendered,	67 75
29	William Slightam, ice furnished state officers,	61 60
30	D. S. Durrie, merchandize,	60 50
31	Memhard & Williams, papering, painting and materials,	378 75
32	Patrick Carmody, graveling walks,	154 00
33	Livsey & Carroll, building cistern, ice house, wood-shed, &c.	327 46
34	Donaldson & Tredway, merchandize,	130 00
35	John Hollihan, services,	62 00
36	Daniel Arldt, work about the capitol,	24 00
37	W. A. Wheeler & Co., stationery,	150 51
38	O. C. Buck & Co., desks, repairs and materials,	273 50
39	E. J. Patterson, sample stationery,	156 08
40	John N. Jones, postage of legislature,	684 54
41	William Pyncheon, hauling and putting up ice,	64 00
42	Silas Chapman, Materials furnished for Secretary of State,	3 62
43	C. Piquette, furniture,	15 25
44	J. M. B. Davidson, safe and charges,	1,135 00
45	Campbell, Brush & Co., work and material in and about the Capitol,	1,166 25
46	J. A. Hall & Co., sample stationery,	69 44
47	S. P. Pierce, Postmaster of Senate,	120 00
47	P. J. Hannah, " " Assembly,	120 00
48	John Taylor, state prison commissioner,	2,618 42
49	Silas Chapman, merchandize for school superintendent,	36 38
50	D. Munson, sheriff of Sauk county,	30 00
51	William Reinhard, work on south wing of state prison,	1,884 66
52	A. S. Wood, stone steps for capitol,	150 00
53	Seth Van Bergen, agent for the state,	183 05
54	W. S. Main, sheriff of Dane county,	498 00
55	D. S. Durrie, merchandize,	145 36
56	F. J. Blair, merchandize,	180 50
57	D K Tenney, services,	40 00
58	Lion Silverman, sheriff of Ozaukee county,	267 60
59	Commissioner of State Prison, paying indebtedness of prison, for 1854,	12,777 49
60	J. K. Smith, lumber for state prison,	629 50
61	T. L. Smith, 2d, assistant sergeant-at-arms of senate,	100 00
61	Thomas Shawney, door-keeper of senate,	100 00
61	Charles Brown, assistant door-keeper of senate,	100 00
61	Michael Ames, fireman of senate,	100 00
61	Robert Smart, assistant fireman of senate,	100 00
61	Nicholas Ingle, second assistant fireman of senate,	100 00

No.	To whom, and for what appropriated.	Amount.
61	A. Wilcox, door-keeper of assembly,	100 00
61	Abner Rouse, fireman of assembly,	100 00
61	Jonathan Bond, assistant fireman of assembly,	100 00
61	E. C. Spink, assistant door-keeper of assembly,	50 00
61	Edward H. Cosgrove, third messenger of assembly,	60 00
62	Weed & Eberhard, stationery for state officers,	2,177 63
63	Austin Kellogg, agent for the state,	188 25
64	Matthias Martin, night watch, (treasurer's office,)	365 00
65	Andrew Proudfit, state prison contract,	43,908 85
"	" " "	464 00
66	Thomas & Doggett, packing boxes,	8 50
67	Seaman & Wing, mahogony book-case for Gov.'s office,	75 00
68	S. R. Fox, lightning rods,	25 88
69	V. W. Roth, stationery for school department,	10 00
70	D. Munson, sheriff of Sauk county,	175 00
71	S. S. Conover, keeping state prisoners,	109 24
72	Du Ray Hunt, services in secretary's office,	175 00
73	William A. Barstow, moneys advanced for the state,	1,399 17
74	E. B. Bowen, com. to investigate affairs of state prison,	30 00
	C. P. Barns, do do	30 00
	Charles Clement, do do	30 00
	L. H. Cary, do do	30 00
	G. W. Parker, do do	30 00
75	Wm. H. Howard, sheriff of Rock county,	120 00
76	John N. Jones, postage of Legislature,	542 49
77	do do	405 21
78	David Holt, repairing clock, and stationery,	29 25
79	John O. Henning, register of land office at Willow River	27 25
80	Wm. R. Smith, documentary history of Wisconsin,	240 15
81	Simeon Mills, plats from land offices,	15 00
82	Simeon King, revised statutes,	777 00
83	Henry Wright, services in secretary's office,	45 00
84	V. W. Roth, pens for supreme court,	57 00
85	C. L. Sholes, revised statutes,	60 00
86	Alex. McBride, wood,	768 25
87	Tibbits & Gordon, camphene and merchandize,	540 15
88	S. S. Conover, services bringing Booth & Ryecraft before supreme court,	82 00
89	John A. Brown, judgment against state,	222 40
	L. F. Kellogg, clerk of supreme court,	47 50
90	D. S. Durrie, merchandize,	31 46
91	V. W. Roth, gold pens,	12 00
92	P. L. Mossin, engravings for state superintendent,	40 00
93	Samuel P. Pierce, post master of the senate,	129 00

No.	To whom, and for what appropriated.	Amount.
	P. J. Hannah, post master of assembly,	57 00
94	E. D. Darwin, comparing laws,	50 00
95	H. L. Page, sheriff of Milwaukee county,	380 00
96	Patrick J. Hannah, post master of the assembly,	72 00
	Edward H. Cosgrove, 2d asst. serg't-at arms of assembly,	60 00
	A. Wilcox, door-keeper of assembly,	60 00
	E. C. Spink, do. do	60 00
	Abner Rouse, fireman do	60 00
	Jonathan Bond, do do	60 00
	N. K. Bowen, asst. serg't-at arms of senate,	40 00
	M. Ten Eyck, do do	40 00
97	Augustus Greenling, translating and printing,	58 30
	K. J. Fleischer, do do	72 36
98	James Halpin, services and taking care of offices, &c.	328 00
99	Weed & Eberhard, stationery furnished legislature,	464 13
100	R. W. Lansing, services in secretary's office,	50 00
101	D. W. Ballou, printing,	42 00
102	Matthew Keenan, clerk of circuit court Milwaukee co.,	28 82
103	Andrew Bishop, sheriff of Dane county,	264 00
104	Robert E. Gillett, serving writs in cases of Booth and Ryecraft,	23 15
105	J. D. Welch, repairing desks and locks,	31 71
106	A. W. Starks, moneys paid for state,	100 00
107	La Fayette Kellogg, clerk of supreme court,	272 25
108	Henry K. White, clerk of circuit court, Milwaukee co.,	57 25
109	Geo. W. Mygatt, arch. to estimate cost of Lunatic Asylum,	180 00
	E. Palmer, asst. do do	100 00
	A. A. Bird, asst. do do	80 00
	W. W. Wyman, use of room for investigation committee,	50 00
	A. C Ingham, cl'k of Lunatic Asylum investigation com.	120 00
	G. W. Stoner, asst. do do	15 00
	G. W. Pugh, subpœnaing witnesses,	12 00
	Wm. T. Bailey, witness fees,	15 00
	R. G. Gill, expenses going to Milwaukee to employ arch.	15 00
110	Welstood, Hays, Hanks & Whiting, engraving, printing and paper,	395 00
111	John White, sheriff of Milwaukee county,	397 50
112	John N. Jones, postage of legislature,	551 89
113	N. M. Donaldson, asst. clerk of assembly,	200 00
	E. Bicknell, transcribing clerk of assembly,	100 00
	C. D. Long, enrolling clerk of assembly,	100 00
	James Hickox, engrossing clerk of assembly,	100 00
	Wm. P. Dewey, first asst. clerk of senate,	200 00
	Arthur Resley, asst. clerk of senate,	150 00

No.	To whom, and for what appropriated.	Amount.
	C. W. Cook, enrolling clerk of senate,	150 00
	Washington Miles, transcribing clerk of senate,	100 00
	William Blake, sergeant-at-arms of assembly,	83 00
	G. W. Pugh, first asst. do	83 00
	E. H. Cosgrove, second do	40 00
	W. W. Prater, messenger of assembly,	83 00
	H. W. Cowls, do	83 00
	W. H. Gleason, sergeant-at arms of senate,	83 00
	Chas. T. Wakeley, first asst. serg't-at-arms of senate,	83 00
	N. K. Bowen, messenger of senate,	43 00
	Marshall Ten Eyck, do	43 00
114	S. C. West, witness fees, impeachment trial,	22 20
115	John Wright, gum arabic,	19 28
116	S. S. Conover, guarding, boarding and conveying state prisoners,	68 87
117	August Kruer, printing in German language,	129 05
118	L. Cannon, drafting board for sup't of education,	15 00
119	Beriah Brown, publishing Documentary Hist. of Wis.,	12,000 00
120	A. C. Ingham, Transactions of State Agricultural Soc'y,	1,125 00
121	Commissioner of State Prison, current expenses of state prison for 1855,	13,000 00
122	John N. Jones, postage of legislature,	463 51
123	Eliab Perkins, stoves furnished state prison,	179 70
124	J. S. Sherwood, iron and materials for south wing of state prison,	410 46
125	Simeon King, revised statutes,	47 50
126	J. F. Henge, clerk of senate committee to investigate sales of school and university lands,	34 50
127	W. H. Gleason, subpœnaing witnesses to attend upon senate committee,	40 00
128	E. Stangeland, printing in Norwegian language,	41 40
129	R. P. Eighme, witness fees, before the committee to investigate the sales of school and university lands	35 00
130	J. W. Andrews, " " " " "	35 00
131	Schœfler & Wendt, furnishing governor's message for 1855, in German,	61 80
131	Schœfler & Wendt, printing paper furnished for legislature,	320 76
132	D. H. Wright, services and lumber,	262 23
133	Lester & McGuire, services rendered by order of E. Root, late superintendent public instruction,	13 75
134	Atwood & Rublee and Carpenter & Carpenter, reports of the lunatic asylum committee, &c.,	249 09
135	Humphrey Hughes, witness' fees, (imp. trial,)	14 52

No.	To whom, and for what appropriated.	Amount.
136	Daniel Arldt, labor in and about capitol,	122 00
"	C. Wheeler, " do do	122 00
"	John Holl[illegible]han, do do	122 00
"	Thos. McGlynn, Sen'r, do do	122 00
"	Peter Jones, do do	122 00
"	Patrick Thrag, do do	122 00
"	Henry Dwas, do do	122 00
"	Matthias Martin, do do	122 00
"	Matthias Martin, 2d, do do	122 00
"	Daniel Arlt, watchman in bank comptroller's office,	82 00
137	Rev. Miller, services as chaplain,	50 00
"	" Gardiner, do do	50 00
"	" Nolan, do do	50 00
"	" Etchman, do do	50 00
138	John N. Ackerman, iron for state prison,	1,054 04
139	Beriah Brown, incidental printing,	3,252 00
140	Edward H. Cosgrove, as't sergeant-at-arms of assembly,	47 50
"	A. Wilcox, door-keeper, of assembly,	47 50
"	E. C. Spink, assistant door-keeper of assembly,	47 50
"	Abram Rouse, fireman of assembly,	47 50
"	Jonathan Bond, assistant fireman of assembly,	47 50
"	T. L. Smith, second asistant sergeant-at arms of senate,	107 50
140	Charles Brown, door keeper of Senate.	107 50
	Thomas Shaughnessy " "	107 50
	Michael Ames, services,	107 50
	Nicholas Ingle, "	107 50
	Robert Smart, "	107 50
141	M. H. Peak, witness fees, (committee to investigate sales of school and university lands.	45 00

STATE OF WISCONSIN, } ss.
SECRETARY'S OFFICE, }

I, ALEXANDER T. GRAY, Secretary of State, of the State of Wisconsin, do hereby certify that I have compared the foregoing list with the original acts of appropriations deposited in this office, and that the same is a complete list of all of the appropriations made at the last session of the Legislature, except such as are printed at length in this volume.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State, at the Capitol, in Madison, this fifteenth day of May, eighteen hundred and fifty-five.

[L.S.]

ALEXANDER T. GRAY, *Secretary of State.*

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